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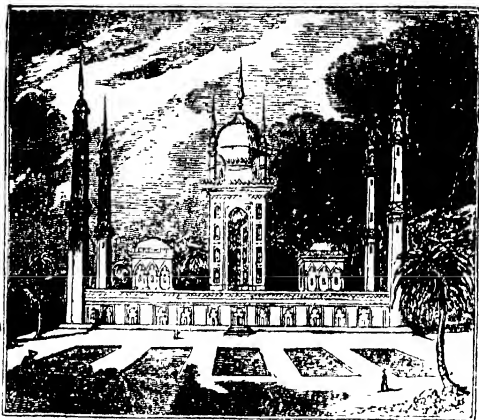
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THE
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AND JOURNAL OF
GENERAL LITERATURE.

VOL. XII.
JANUARY TO MARCH,
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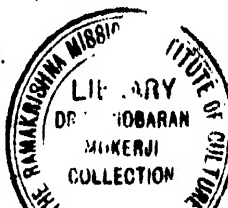
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JANUARY 1827.



TO CORRESPONDENTS.

The great and unexpected length to which the two Debates at the India-House, reported in our present Number, have extended, prevents us from giving the third Debate (of which, however, our Reporter has taken ample notes), until the ensuing month. There is already, however, more matter for perusal, and more subject for reflection, in the two now given, than most Readers will be prepared to pursue to the end. It will, therefore, be a relief to them, as well as to ourselves, to reserve the third Debate until a future Number, which we prefer to giving it in an abridged or imperfect form; and the space previously occupied by the two first, precludes the practicability of giving the third at equal length, without excluding all other matter, and rendering the Work a mere record of these Debates.

The large portion of our pages, already devoted to this object, must also plead our excuse for the omission of many interesting articles prepared for the present Number, but now unavoidably postponed till the ensuing Month. Among these are Reviews of the Work before adverted to, on the Colonization of India—of the Memoirs of Baber—of the Exile—of Captain Keppell's Travels—and other new Publications: besides the continuation of the Series of papers on the Rise and Progress of the British Power in India—on the State of the Cape of Good Hope, by a Colonist—Excursions on the Banks of the Nile—History of the Introduction of Coffee into Europe—Dr. Graham's New Medical Work—the Serampore Missionaries—Notice on the Indians of Mount Carmel—Several Letters from India on subjects of public interest—and other shorter pieces; to all of which we shall give the earliest practicable insertion.

THE ORIENTAL HERALD.

No. 37.—JANUARY 1827.—VOL. 12.

BRITISH-INDIAN ASSOCIATION.

IN commencing the fourth year of our labours in England, and casting back our view over the period during which this Journal has now been before the British as well as the Indian Public, it is with feelings of gratitude and pleasure that we behold, on all sides, proofs of that increasing interest in the Affairs of the Eastern World which it was the principal object of its original publication to excite. It has happened, unfortunately for ourselves, that the discussion of an individual case has occupied a very large, and, as some may consider, a disproportionate share of our space and attention. But it may at least be conceded to us, that during all the period of this painful and protracted discussion, no great general question, no important public interest, and no other case of individual oppression has been overlooked or neglected. It was our misfortune, and not our choice, that the often agitated subject of the plunder of private property and the invasion of public rights, both of which were effected by the measures pursued towards the Press in India, were destined to assume so prominent a place in our pages. If the authors of these wrongs abroad, or their supporters at home, had done justice to the complainants at the early period of their petitioning for redress, no more would have been heard of the subject, beyond that occasional advertence to facts and matters of history, which is necessary to the elucidation of all questions involving the wisdom or error of certain courses of policy pursued by men in authority. They have chosen, however, to persist to the last, in their refusal of justice; and the perseverance manifested by those who still suffer under the calamity is not more remarkable than the obstinacy of those who inflicted it: the only difference being, that oppressors who have committed or countenanced any grievous wrong, may maintain *their* ground in sullen silence, and never appear to have their thoughts occupied on the subject; while the oppressed, cannot equally maintain *their* claims to relief without that frequent repeti-

tion of their case, which, in the end, becomes painful even to those who would gladly see it redressed, and thus operates insensibly to the injury of the parties aggrieved. It is clear, however, that this fastidiousness may be carried to such an extreme as to pass the limits of equity and reason. If the great questions of the Freedom of the Subject—Religious Toleration—Liberty of the Press—Abolition of the Slave Trade—Catholic Emancipation—and others, which have for years, in succession, agitated the whole civilized world, had each been discussed for a brief period only, and then abandoned because they had become, in the cant phraseology of the day, “stale” and “threadbare,” the success of those, in which truth and justice have ultimately triumphed over error and iniquity, would never have been achieved. It is only by perseverance in a good cause, that any great public right has ever been won from those who withheld it from a nation’s enjoyment. It is by the same unbending perseverance only, that private rights are to be equally secured; and although it may sometimes happen that both public and private wrongs remain for ages unredressed, yet, as long as they *are* unredressed, it is the duty of those who are the victims of such wrongs never to relax in their demands of justice; nor can there ever arrive a period when, in the strictness of truth, it is proper to abandon any claim founded in right, until that claim is satisfied; although it may be politic to shape the time, the mode, and manner of its pleadings, to the temper of surrounding circumstances, to the bent and humour of the age, and to the character of men and manners, as we find this influencing the events of the times.

We have said thus much in extenuation (apology would be an insincere and inappropriate term) of any apparently undue attention to matters, which some may construe into merely personal claims, whereas we regard and advocate them as questions of public import, involving, as they must in their issue, the rights of thousands; for, if it be established as lawful and just, that *one* British subject, legally residing in India, may be arbitrarily despoiled, without the power of the law to protect him, it follows, as an inevitable consequence, that every other British subject who may be settled there, though surrounded with friends and fortune, lives, breathes, and holds his very being, on the frail and uncertain tenure of any future ruler’s caprice; against the destructive effect of which there can be no verdict,—no appeal,—no hope of redress. If this be *not* a public question, it is difficult to say what is. It has been at least as much from the conviction of its being a question of importance to every Englishman living, as from our unfortunate personal connection with the case, that we have discussed it so frequently and so fully; and cited in our justification the sentiment of one of the most powerful writers in the English language, who says, with a force of truth and argument that has now become irresistible,—“One precedent creates another. They

soon accumulate, and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures; and, where they do suit exactly, the defect is supplied by analogy."

We revert, from this digression, to the more gratifying assurance, that in almost every class and circle of society in England an interest has been awakened towards India, such as has not been witnessed for the last half century. For a very long space of time there has not been so many works on India issued from the English press as within the last two years; and others are announced as in preparation. At no period whatever do we remember India and its concerns occupying so large a share of attention in the Periodical Journals of the day, of which we gave abundant proofs in our last, and shall add others in our present Number. From the higher Periodicals this will gradually pass to the Weekly and Daily Journals of the Metropolis, and from them to the Provincial Papers; so that, when the times shall arrive (which is now fast approaching) for the discussion of the great questions of Indian policy and government, there will be found, in both Houses of Parliament, and among all classes of people, more accurate information, on Indian affairs in general, than at any previous period of our history in which the subject has been agitated, at the periodical expirations and renewals of the East India Company's charter. This is all that is wanted to secure that freedom of commerce, and reform of system in government, from which India and England would reciprocally benefit so largely; and this, we feel assured, the growing interest of the subject in the eyes of the British nation will ultimately effect.

We rejoice at the opportunity afforded us to lay before the readers of the *ORIENTAL HERALD* a very striking proof of the increasing interest in the affairs of India to which we have alluded, and, at the same time, to invite their serious attention and cordial assistance towards the accomplishment of an object which all who desire the progress of improvement must, we think, approve. A Prospectus of an Association has been drawn up by some sincere and ardent friends of India, to the views and professions of which it is conceived the most scrupulous cannot object. It was at first intended to give it private circulation only, and to obtain, by that means, sufficient co-operation for the commencement of the Institution. But it has, on reflection, been rightly conceived, that the object being an honourable one, and its accomplishment requiring public and general aid, no mode of announcing and developing its views could be so proper as that of giving it at once extensive circulation through the medium of some Public Journal devoted more especially to the advocacy of Indian interests, among the numerous and habitual readers of which little doubt could be entertained but that a sufficient number of individuals might be at once obtained to carry the plan and purpose of the Institution into immediate opera-

tion. In this hope, we proceed to lay before our readers the prospectus itself:

BRITISH-INDIAN ASSOCIATION.

In looking around on the efforts hitherto made, and still making, by the benevolent portion of the British Public for the improvement of distant countries, and the increase of happiness to their inhabitants, it is a matter of regret as well as of surprise to observe, that the vast and teeming Continent of Asia, the earliest peopled and the earliest advanced in the arts of life, to which Europe herself is indebted for the first rays of knowledge that beamed on her benighted forests, is almost entirely neglected. While Africa has an "Institution" and an "Association," each formed for the express purpose of promoting its improvement, and each ranking among its patrons, directors, and associates, several members of the Royal Family, and a long list of the most distinguished peers and commoners of Great Britain, Asia has yet no institutions whatever established in England to befriend her, or to make the agricultural, commercial, political, and moral improvement of that quarter of the globe the real object of their care and attention.

It will be admitted, however, by all who reflect on the subject, that though philanthropists must desire to extend to every portion of the globe that knowledge and happiness which each may be equally fitted to enjoy; yet, as compared with Africa, Asia has a thousand claims on our especial preference and protection. But there is one portion of Asia more peculiarly entitled to claim the aid of British benevolence; namely, the vast country of India now subject to our exclusive dominion, from which thousands of British families derive their wealth and consideration, while, instead of making any adequate return for these advantages, they bring with them from that country all the wealth there acquired by them, and devote no portion of it to relieve the continued impoverishment and degradation of its countless inhabitants.

For a long period, indeed, the sympathies of English hearts, though they have been often awakened to the relief of misery in other quarters of the globe, have been almost insensible to the wrongs and sufferings of the Natives of India; but, during the last few years of its unhappy history, events have arisen by which the attention of the whole civilized world has been directed to the state of our possessions in the East. Our own countrymen wonder at the continued exclusion of British capital, skill, and enterprise, from a field so peculiarly inviting and inexhaustible, while these are freely allowed to go and enrich other nations and other lands; and foreigners, of every class, exult at the manifest decline of our popularity in Asia, to which nothing more effectually contributes than this exclusion of British subjects, generally, from a participation in its agricultural and commercial wealth.

That this state of things ought no longer to remain, to the injury of India itself, and the reproach of her avowed friends and protectors, all reflecting and benevolent men must admit. The manufacturer of England desires a more extended consumption for the various productions of his labour and skill; the merchant asks for a removal of restrictions on articles of Indian produce essential to his commercial returns from thence; the friend of political improvement wishes for a better system of government than the one which now prevails in that country; the philanthropist breathes his ardent prayer for a more enlightened morality, and the elevation of its despairing millions, from a state of degradation and suffering, to a condition of respectability and enjoyment.

At present, however, all these classes act separately and independently of

each other ;—there is no co-operation, no system, in the prosecution of which all cordially unite ;—the efforts of one class are often found to counteract, rather than to aid, those of another ;—and, consequently, much money is expended, and much labour bestowed on efforts which, from these causes, fail to produce a corresponding effect. ..

To remedy this evil, it is proposed to form an extensive and general co-operative Society, for the promotion of improvement in our Anglo-Asiatic possessions, to be called, “ The British-Indian Association,” and to invite men of rank, of wealth, of talent, and of influence, from all classes of society, to join it.

The objects of the Association will be confined strictly within the limits which its name implies. Whatever may have a tendency to increase and improve the agricultural productions, to extend the commerce, to enlighten the inhabitants, or to meliorate the institutions of British India, will be especially the subject of their deliberations ; and from among these, whatever is likely to be productive of the most immediate, as well as the most extensive benefits, will have the earliest claims to their adoption.

To represent, as well as to embrace, the interests of all the several classes before enumerated, it is proposed to have a board of management, consisting of an equal number of the following descriptions of persons, as far as the relative proportions of each can be obtained ; namely, members of the legislature ; merchants and manufacturers ; and friends of education and knowledge ;—with power to add indefinitely to their numbers.

This board to hold its sittings in London, and branch committees to be established in Edinburgh, Dublin, Liverpool, Bristol, Leeds, Manchester, Birmingham, and such other large towns as may be deemed necessary for the purpose of co-operation and correspondence on the objects of the Association.

Boards of assistance to be established also in Calcutta, Madras, Bombay, Penang, and Singapore, formed of British and Native Indian members, in equal portions, for the purpose of communicating to the managing board in London the requisite information on all subjects of their inquiry, and of procuring aid at each of their respective stations for carrying into effect the great objects in which their interests must be so deeply involved.

It is believed that by twelve months of well-directed exertions, this Association may be so permanently established in this country, and embrace so large a portion of the people of England, from the different classes before enumerated, that there will be few objects of their desire which they will not be able legally and honourably to obtain ; while the co-operation to be expected in India may, in the course of another year, be, no doubt, brought into useful influence and action.

Hitherto, individual efforts in behalf of the great interests of India have not been wanting ; but they have been fruitlessly wasted, in hopeless and unavailing struggles against superior force. The co-operation here invited will accomplish what no individual exertion could perform ; and to the advantage of union in funds and labours, will be added that of caution and prudence in the deliberation of numbers, and the aid of experience, as well as of talent, to guide and temper the energies of more active zeal.

Persons desirous of promoting the objects proposed to be accomplished by this Institution, are requested to forward their communications to that effect, addressed “ for the British Indian Association, 32, Tavistock Square ;” and

when a sufficient number of names are obtained, a General Meeting of the parties interested will be convened, to determine, by the voice of the majority, the necessary measures for the farther development of their views, and to appoint a body of Directors for the purpose of carrying the objects of the Association into immediate effect.

After the frank avowal and disclosure of the end proposed, and the means intended to be pursued for its attainment, by which the preceding document is characterized, it can be hardly necessary for us to add a word in comment. While there is an "Oriental Club," for the privilege of belonging to which, and enjoying its cheap breakfasts and good dinners, a thousand members have been found ready to pay a handsome entrance-fee and an annual contribution of several guineas;—while we have a "Royal Asiatic Society," over which even the President of the Board of Control feels it an honour to preside, and to which the most noble, most wealthy, and most learned of the land are ambitious to belong, for the gratification of hearing the unintelligible antiquities of India and the fabulous events of its unauthenticated history and intricate mythology detailed and discussed in its assemblies, to the great benefit perhaps of the reputation of certain pundits and poets who lived some thousand years ago, but of little or no utility to the existing race;—while these Institutions not merely flourish, but enjoy royal patronage, and extensive countenance and support, there can surely be no difficulty in finding an equal number of persons who think the promotion of happiness among the living as dignified an object of pursuit as the unravelling the mystic meanings of the dead; or an equal number of others who conceive that to be instrumental in promoting the improvement of the institutions of India, and the benefiting of millions thereby, may be as worthy an object of ambition as the being ballotted for and admitted to lounge away the most valuable hours of existence in the splendid saloons of the Club House in Grosvenor Street, or Hanover Square; more especially, when a participation in all the enjoyments of doing good, which the "British-Indian Association" holds out to the acceptance of its members, may be purchased at less than one-fourth the rate of expense for which the honours of either of the other Institutions are attainable.

There is, no doubt, room for the indulgence of every variety of taste; nor need either of these modes of gratifying the peculiar propensities of men at all interfere with the other. Let the lover of good cheer enjoy his hour at the Club, and the antiquarian devour his portion of mythology and mystic lore at the rooms of the Society. Each may find it some relief, if only in its contrast and variety, to give an equal portion of his existence to the consideration of other topics; and thus, as men of every diversity of pursuit and opinion may unite in an enjoyment susceptible, one would hope, of affording pleasure to all, there seems no reason to despair of obtaining, for the "British-Indian Association," as rapid and as nu-

merous an accession of members as either of those to which, though more recent in point of date, it may yet be made a pleasing and a powerful auxiliary. In this hope, we sincerely and heartily commend the "Association" to our readers and to the world.

LINES.—BY MISS S. E. HATFIELD.

[The following lines have been transmitted to us by the amiable and accomplished authoress of 'The Wanderer of Scandinavia,' Miss S. E. HATFIELD, a Review of whose Poem was contained in the 'Oriental Herald' for October. We gladly give them an early place in our pages.]

Lines written previous to commencing my evening's application to 'The Wanderer of Scandinavia'

Now to my task,—my task again,
The battle-field, the crimson'd plain ;
The marching bands, the standards bright,
The gleaming falchion's lightning light ;
The shout for Freedom echoed far,
Hallowing the brazen notes of war.—
These must gleam along my strain,—
These be heard and heard again :
Fare thee well, sweet social hour,
Fare thee well, thou moonlit bower,
Fare thee well, thou starry sky,
I must gaze no more on thy canopy
But with fancy's eye,—yes, I lose thee not,
Thy lights are through my casement brought,—
I weave their brightness in my lay,
Alternate with the streaks of day ;
Yes, I hear thee still in my heart and eye,
Sweet Nature ! and oh ! Liberty
Is ever, ever join'd with thee.
I doubly to thy sway belong,
When I essay her sacred song.

Now to my task,—Oh ! every muse
That drinks Parnassus' golden dews,
I would invite ye, but 't were vain
To wait upon my varying strain.
No—be the theme, the theme alone,
The inspirer of each minstrel tone,—
Burst from each chord the sounds of strife,
As if it were a trump of war ;
Such notes as raise the dead to life,
When Victory flies o'er Freedom's car.
And thou shalt be to me, in spite
Of scorn, neglect, and sorrow's blight,

A sweet remembrancer of hours
 Gone past in silence, yet in bliss,
 When I have stole from social bowers,
 (Those bowers my absencer could not miss.)
 To be alone with thee and heaven,
 Who saw my bosom to thee given,
 Yet frown'd not, nor took back the power
 It gave to wile that lonely hour ;
 But still sent hope to urge me on,
 Till every arduous path was won :
 And why ?—because I sought not fame
 Alone ; but, midst the earthly flame,
 There was a spark of holier fire,
 Unseen by earth, that mounted higher :
 A wish to be by some young breast,
 Blest for the nobleness that blest ;
 A wish that, in my wandering hue,
 Some flower would spring, that might entwine,
 Without empoisoning the heart,—
 A wish to be of those a part,
 Who have in low, and lonely state,
 Possessed a soul to consecrate
 To others' good,—to the unborn,
 All solitary left, and lone,
 To be companion, friend, and cheerer ;—
 And oh ! (if there can aught be dearer,)
 The inspirer of the holy deed,
 That captive kingdoms eist has freed,
 Or the high soul in fetters bound.
 Oh ! thus to be with glory crown'd,
 Even in one's grave, is such a thought
 Of blessedness, as oft hath fraught
 My soul with scorn of every bar,
 And lifted it to realms afar
 Above the world, above its wiles,
 Above its frowns, above its smiles,—
 All, all alike, and all contemn'd,
 So that of heaven I were unblamed,—
 So that, its high intent fulfill'd,
 My breast with its approval thrill'd.—
 Now to my task,—my task again ;
 Oh, heaven ! be mine such sacred strain,
 Pure as would please thine own pure ear,
 If thou couldst condescend to hear ;
 Yet fraught enough with feelings of earth,
 To please the beings of its birth ;
 In innocence to thrill the heart,
 Yet keep its finest pulse for thee ;
 While Freedom's flame it doth impart,
 And bid it pant for Liberty !
 To raise the eternal wish to be
 Ne'er from Thy blest obedience free !



THE CAFFER FRONTIER.

No. I.

[THE following Article was drawn up while the writer was residing on the frontier of Caffer-land in the early part of the present year (1826); and the whole of the facts detailed (with the exception of a few notes and observations since added) have been submitted to the official consideration of his Majesty's Commissioners of Inquiry. What steps those gentlemen may have taken to investigate the matters thus brought under their notice will, of course, appear when their long-expected Report is sent forth. In the meanwhile, the writer considers it his obvious duty to give full publicity to transactions so deeply affecting the condition of an important settlement, and the character of the British nation itself. There are occasions when it may be dangerous to confide too implicitly in the zeal and impartiality even of well disposed men: there are occasions, also, when silence, though safe, may be criminal; and such he considers the present.—A.F.F.R.]

In order to give a clear and connected view of the state of this frontier under Lord Charles Somerset's administration, I shall take a rapid survey of it during the last seven or eight years,—premising simply, that my information, in regard to such matters as have not come directly under my own observation, has not been collected from loose reports, but from intelligent and trust-worthy individuals, most of whom resided on the frontier during the whole of the period I refer to; and several were personally acquainted with many of the transactions I am about to describe.

The corps of disciplined Hottentots called the Cape Regiment, had been found, from long experience, greatly superior to European troops for the defence of the colony against the inroads of the Caffers. Sir John Cradock had augmented that corps; and under the late Colonel Graham, it had been completely organised—was commanded by able and experienced officers—was in a perfect state of efficiency, and about 800 strong.

The Caffers had been expelled from the Zureveld, and driven across the Fish River. The frontier was well guarded, and in a state of tranquillity.

At this period (1817) the Colonial Government thought fit to reduce the Cape Regiment to a single company of 150 men, (who were retained as guides for the European troops,) on the pretence that the expense of paying it was too great for the Colonial Treasury, and that the services of the enrolled Hottentots were necessary to the boors.

Whether this measure originated with the Colonial Government, or was first proposed from home, I cannot precisely say; but, if the latter, it does not seem at all probable that the reduction would have been insisted on if it had not met with the full concurrence of

Lord Charles Somerset. The utility of the corps had been sufficiently proved. If there were no private interests or personal piques to serve by the reduction, there was at least most culpable ignorance or disregard to the security of the frontier.

For a short period, however, the fatal consequences of this measure were rather apprehended than felt. The Caffer tribes, who some years before had been driven out of the Zureveld, were at peace with the colony; and but for our interference with their internal disputes, might have remained so. But in the year 1818, these tribes quarrelled with the chief Gaika on certain matters of internal polity. The adverse parties came to blows, and Gaika, being worsted, applied to the Colonial Government for aid.

This was too tempting an occasion for getting a dash among the Caffer herds to be let pass; besides, it was in the cause of *legitimacy*—at least Lord Charles Somerset had dubbed Gaika the “true King;” and, although the mass of the nation refused to acknowledge him, he was of course to be supported. It was in short precisely the game of Prince Hilt and Ferdinand VII. on a small scale. The British troops were sent in to chastise the “insurgents,” and to reinstate our worthy ally, “King Gaika,” in his regal prerogatives—of appropriating, at his pleasure, the cattle and wives of the other chiefs.

The naked Caffers, armed only with clubs and javelins, could, of course, offer little resistance to their British invaders. They were every where driven into the thickets, and their country plundered of cattle to an immense amount. In the course of a few weeks, upwards of 20,000 head were captured; about one-half of which were given to Gaika: the rest were brought into the colony, and partly sold, partly distributed among the boors. The appropriation of the money derived from the sale of those cattle remains yet to be accounted for.

The Caffer tribes, with the exception of Gaika and his adherents, thus rendered desperate (as every sensible man had foreseen) by being deprived of nearly all their property, and of almost their entire means of subsistence, now began to pour into the colony in vast numbers to recapture their own herds, or to seize in reprisal those of the colonists. Their vengeance had been wantonly provoked, and it is little wonder if bloodshed often accompanied robbery. The colonists were soon forced to abandon a great part of the frontier districts. There were only European troops to defend the country, and those weak in point of numbers, and ill-adapted for desultory warfare. Several parties of military were, with their officers, surprised and cut off. The Caffers began to feel their strength, and to despise the English soldiery, who could not, like the Hottentots, pursue them successfully into the jungles. Not a farmer east of the Sunday river considered himself safe. The Hottentot village of Theopolis was repeatedly assaulted, and with dif-

ficulty defended by 100 muskets. The Moravian settlement of White River was burned down. Graham's Town itself, the headquarters of the British troops, was at length attacked by a formidable force of 9000 men, and within a hair's-breadth of being carried. Uitenhage, Somerset, and Graaff Reinet, were thought in danger, and a general panic prevailed throughout the colony.

Notwithstanding all this, the expediency of re-establishing the Cape Regiment had not yet become fully apparent to his Excellency the Governor. It remained in *statu quo*, excepting that the few Hottentot dragoons, who had been retained as post-riders about Newlands and Simon's Town, had grown into a troop under the command of Captain Henry Somerset. The colonial finances and the service of the farmers could as yet admit of nothing farther.

It had become absolutely necessary, however, to adopt some measures for the defence of the colony. A general armament of the inhabitants was resorted to. The farmers were called out from the vicinity of Cape Town, from the west coast beyond Clan William, from the Roggeveld, from every part of the colony, and marched down six or seven hundred miles to the Great Fish River to serve against the Caffers. Some of them were nearly twelve months absent from their farms and families, and incurred ruinous expense and disaster from that expedition, from which they have not yet recovered. "The Great Caffier Commando" (as it is called) will indeed be long remembered and bewailed in every quarter of the colony.

The Caffers were at length quelled and crushed by this vast armament of boers, supported by Colonial Wiltshire's European troops, which were moved forward to the invasion of Caffier-land like a regular army, equipped with cannon, howitzers, pontoons, one hundred baggage waggons, and a corps of engineers.* The insurgent chiefs (as they were styled) were forced to submit to such terms as the Colonial Government thought fit to prescribe. Some of the most obnoxious were seized, sent to Robben Island, and died in exile; and finally the territory between the Fish River and the Keiskamma was torn from them, (in virtue of a pretended cession by King Gaika—whose authority the majority of the nation disowned,) and was proclaimed by the 'Government Gazette' to be now a "neutral territory," to remain forever unoccupied, except by one or two military posts, which Gaika was told were intended for his protection.

In the meanwhile, a negotiation had been opened with Captain Harding (the only remaining Captain of the Cape Corps) for the sale of his commission to Charles Somerset, second son of the Governor. This important object, after some maneuvering, was effected. Master Charles obtained the company, and Harding

* In the time of the old Cape Regiment, the baggage and necessities of the Commando were in general carried by a few pack oxen.

retired as Deputy Landdrost of Cradock, *vice* Vandergraaff, who, to make room for him, was removed to Worcester.*

The senior captain thus out of the way, the two young Somersets now found themselves the only captains in the Cape Corps. By a most fortunate coincidence (fortunate at least for these two captains) his Excellency the Governor, as soon as this arrangement was completed, clearly saw (and, no doubt, conscientiously considered) that the colony could not in future be protected without restoring the Cape regiment to its former strength. It is, indeed, to be lamented that his Excellency could not be brought to take this view of the subject somewhat sooner. How fortunate would it not have been for the colony in general—for the boers who were forced to abandon their families and farms, and march six or eight hundred miles on command—for the widows and orphans of those who were murdered, or whose houses and property were burnt down and their cattle carried off by the exasperated Caffers,—and for the unfortunate natives themselves,—if the expediency of keeping up or restoring the Cape regiment could have been seen by the Colonial Government only twelve or eighteen months before the promotion of these two young captains took place!

Now, however, that the expediency of this measure was perceived, no time was lost nor means spared to carry it into effect. The activity and zeal now evinced, on the part of the Colonial Government, formed a striking contrast to its former fatal security, its tender concern for the public treasury, and for the accommodation of the farmers. The public service, it seems, could now admit of no delay nor hesitation as to modes or means of effecting this purpose. The usual process of recruiting was considered too tedious, and the men were *forcibly* pressed into the service by the magistrates; every district and missionary institution was obliged to furnish its contingent.†

* Worcester was about this time created a subdrostly under Tulbagh, (though only about thirty miles from that place,) and poor Vandergraaff was then pushed out of the way. A few years afterwards, he was unceremoniously turned adrift; when the buildings at Tulbagh were condemned (under false pretences) as uninhabitable; when the subdrostly was discovered to be no longer necessary; when it was judged expedient to place the full drostly at the extremity of the district, and to erect splendid new buildings there for Captain Trappes.

† Note by an officer of the "Old Cape Regiment:"

"The consequence of this mode of recruiting was, that the worst description of Hottentots were drafted into the corps. The landdrosts and veld-cornets naturally took the opportunity to get rid of the most troublesome characters in their districts. In the Old Regiment a court martial was a rare occurrence. In the company I belonged to, not one had taken place during the three years I served with it. Courts-martial take place almost daily in the new corps. Desertion was almost unknown in the old regiment whilst I served with it: in the present corps it is frequent. (In 1820 upwards of forty men deserted in one month.) Let the expense of the frontier, previous to

Nor was even the re-establishment of the regiment on its former footing deemed sufficient. Lord Charles became now convinced that besides Captain Henry Somerset's troop, a second troop of Hottentot cavalry was essential for the protection of the colony. This second troop naturally fell to the lot of the second captain, Charles Somerset, (who had got Harding's company,) and made him a captain of cavalry instead of infantry.

Four companies were also, by and by, added to the regiment ; to command which, however, it was not thought fit to call in the experienced senior lieutenants, who, on the reduction of the old corps, had been placed on half-pay, and most of whom were still in the colony. Lieutenant Ogilvy Stuart, of the 72d regiment, and Lieutenant Aitchison, of the Royal Artillery, who were then special favourites at Government House, obtained each a company. A Captain Fitzclarence (who never joined) got a third ; and Lieutenant (now Landdrost) Stockenström stood at that time so high in Lord Charles Somerset's good graces as to be promoted to the fourth.

The inferior grades were given chiefly to younger sons or protégés of Lord Charles's noble friends and patrons in England ; scarcely any of whom, indeed, ever joined the regiment, but it served as a convenient stepping-stone to enable them to exchange into others.

Thus was the Cape Corps at length re-established ; if not in its former state of real efficiency, at least in a shape three-fold more expensive to support, and infinitely more brilliant in dress and accoutrements. In short, this Hottentot corps became henceforth only secondary in splendour and expense to his Majesty's Dragoon Guards.

The addition of the cavalry to this native regiment was not the least extraordinary part of the business. Every one who has ever seen or heard anything of Caffér warfare, must be perfectly aware that cavalry troops, *as such*, can seldom be of the slightest use against Caffers ; nor have the Caffers been ever known to expose themselves in any situation favourable for cavalry to act, except when they were perfectly certain there were no cavalry to attack them. To encounter the Caffers successfully, in every situation, no one who has visited the frontier could possibly imagine any sort of troops superior to the old Cape Corps, as it had been organised by Colonel Grahame and others who understood the service ; with the addition of one of the common hacks of the country for each man in cases of emergency. Every farthing of expense beyond that

1817, when the old Cape Regiment was disbanded, he compared with what it costs at present, and the difference will become still more apparent.

"C. C."

was money lavished for mere parade—or for less excusable objects.

The subsequent history of this corps, and of the various manœuvres by which Lieutenant-Colonel Somerset has been gradually promoted to the chief command of it, and of the frontier, I shall not attempt minutely to detail. I shall merely notice, (what is, indeed, notorious to the whole colony,) that the late Major Fraser, at that time in command of the corps, was for several years most unremittingly besieged by every available means to induce him, like Harding, to sell out in favour of Captain Somerset—but in vain. Fraser resolutely resisted all such proposals to the infinite chagrin of the aspiring captain and his anxious sire.*

Nevertheless, Lord Charles Somerset's plans to push forward his sons were not on this account laid aside nor frustrated. Captain Charles Somerset, having got his troop in the Cape Corps, exchanged back to the 9th Dragoon Guards. His elder brother remained, during Fraser's absence upon leave in England, in command of the corps, and was, ere long, appointed also Deputy-Landdrost of Albany. He and Captain Trappes were selected for the difficult task of organizing and administering this infant British settlement;—the former, a raw, ill-educated, and petulant youth,

* Extract of a letter addressed to the Commissioners' of Inquiry, dated "Graham's Town, Jan. 4, 1826:

"It is also said that great exertions were made to induce Major Fraser to give his opinion in favour of attaching two additional troops of cavalry to the Cape Corps soon after the regiment had been re-established, subsequently to the attack on Graham's Town; but that officer refused his approbation to a measure which he considered entirely unavailing for the defence of the colony.

"It is alleged that, notwithstanding the non-concurrence of Major Fraser, and of every other officer of independent sentiments in the colony, Lord Charles Somerset persisted in urging upon the Home Government the necessity of augmenting the force of Hottentot cavalry; that Government, anxious to avoid the expense which this project necessarily involved, resisted for some time his Lordship's importunities; but that, to meet the exigencies of the colony, orders were issued by his Royal Highness the Commander-in-Chief, that the 21st Light Dragoons, then about to return from India, should be detained at the Cape, and sent down to defend, if necessary, the Caffer frontier.

"It is known that orders were despatched to Lord Charles Somerset, directing him to detain this regiment on its arrival in Table Bay. But his Lordship having sailed for England before their arrival, without communicating to Sir Rufane Donkin any directions on the subject, it appears that, when the transports with the troops did put into Table Bay, the Acting Governor possessed no authority to detain them; and, consequently, notwithstanding the strong assurances of many private letters that they were destined for the Cape, their voyage homeward could not be countermanded.

"A day or two after the transports had proceeded on their voyage, a duplicate of the orders for the detention of the regiment reached Sir Rufane—but the original was never received by him."

incapable of supporting even the external decorum suitable to magisterial office,—the other a violent, overbearing, and selfish man, whose presumptuous and capricious character had been felt in the several regiments through which he had successively passed. These military magistrates performed their civil functions as might have been expected from such persons: they ruined, in fact, the English settlement, even before the calamities of rust and Caffer depredations had affected it.

But to return to the other arrangements on the frontier. Lord Charles having left the colony on a visit to England, the Acting-Governor, Sir Rufane Donkin, came down in May 1820 to further the preparations for the reception of the English settlers; and finding a deficiency of suitable lands in Albany for the numbers expected, he entered into a new convention with Gaika, by which the occupation of the “neutral territory” was acceded to, on the express condition that it should be settled, not by African boers, but by British emigrants.

In virtue of this agreement, a large tract of country on the Katt and Kounap rivers was surveyed for the parties of Scotch Highlanders expected out under Captain Grant, and in the *Albion* transport. The officers of the Royal African corps, and other gentlemen of ability and enterprise, were at the same time invited to form a settlement on the Beka river, near the coast. This station was to be protected by a guard of military, and was intended to combine the advantages of an agricultural location with those of a military post in advance of the Albany settlers. It was entered upon with great spirit, and considerable labour and capital were invested in the undertaking.

The defence of the frontier, meanwhile, under Colonel Willshire, and afterwards Major Jones, (a humane and popular officer,) continued in its ordinary state. Depredations were committed as usual, and as usual repressed. The system was neither an equitable nor an efficient one, but there appeared at that time no remarkable negligence nor mismanagement in the conducting of it.

I am no panegyrist of Sir Rufane Donkin’s administration. It is impossible to deny that he was easily gulled or misguided by any interested functionary who happened to get hold of him; that his views were often hasty and short-sighted, and his conduct capricious and vacillating. But he evidently evinced, on the whole, considerable anxiety to act honestly for the public advantage; and that disposition was a great matter in a country like this.

At length Lord Charles Somerset returned in December 1822. His first great object appeared to be to overturn every thing, good or bad, that Sir Rufane had done, and to thwart and insult every individual he had appeared to favour. Major Jones was removed from the command of the frontier and from the magistracy of the

settlers, among whom his mild and impartial demeanour had rendered him highly popular. The Albany Drostdy was re-established at Graham's Town, and Bathurst was ruined. Fredericksburg on the Beke was denied the protection which had been guaranteed to it by the preceding Government, and that settlement was consequently knocked on the head. Mr. Harry Rivers was selected to be the new landdrost of Albany, and Lieutenant-Colonel Scott to be commandant on the frontier.

The depredations of the Caffers gradually increased. A militia of the English settlers was organized, which proved, as it was managed, an extremely harassing and unpopular measure, and of no advantage whatever except to furnish a large additional income to Mr. Rivers, who, although utterly ignorant of military affairs, was selected, in a district swarming with half-pay officers, to act as Colonel of this "Albany levy." As if to render this business completely absurd, George Dyason, the landdrost's clerk, who had been bred, it is said, a pawn-broker, was made adjutant, while experienced officers were obliged to appear in the ranks, and endure all the vulgar insolence of these parasitical upstarts!*

During Colonel Scott's command, the depredations of the Caffers increased so much as to occasion loud murmurs among the frontier colonists, and especially the English settlers, who, unable

* "Captains on half-pay and lieutenants of the navy were called upon to serve as privates in the Albany levy. Several who refused to serve were summoned before Mr. Rivers. The greater part did not appear, but Lieutenant Bisset, R. N., did, and though he stated that his rank in his Majesty's navy ought to free him from serving as a private soldier, he was fined fifty rix-dollars, and threatened with imprisonment. The necessity of organising something like a local militia to act on the defensive, in case of an incursion of the Caffers was obvious; but nothing could have been more ill-judged, impolitic, or tyrannical than the mode which was adopted. Britons have never yet, in any part of the world, been known to hesitate in volunteering to defend their country against any enemy that attempted to disturb its peace; and the settlers would, no doubt, have been very ready to form volunteer corps; but this at the Cape would have looked too much like *freedom*. What but discontent could have been expected from a body of persons being made liable to the severities of martial law, at the caprice of a magistrate whom they detested? The most respectable persons might, according to this Proclamation, have been, at the nod of Mr. Rivers, placed under martial law; and were then liable to be tried by a court martial, and flogged at the triangle for a breach of military discipline. With the exception of Mr. Rivers, (who was styled Commandant,) they had no officers of a superior rank to Lieutenants; and according to the tenor of the Proclamation, even these were liable to be commanded by a corporal of the army. In our militia regiments at home no soldier can be tried except by militia officers. Officers of the line are entirely excluded from sitting on the trial of persons belonging to the militia; but no clause was made in the Governor's proclamation, which granted the same privilege to the Albany levy. Thus, persons of the first respectability might have been sentenced to receive three hundred lashes by a Captain and two Subalterns of the army, for a breach of laws with which they were entirely unacquainted.

to protect themselves, were plundered with impunity. When upbraided with his supineness, this unlucky commandant alleged, in his defence, "that his hands were so completely tied up" by orders from the Governor, that it was quite out of his power to prevent or punish such disorders.

To his usual inactivity, however, a remarkable exception was displayed in the treacherous attempt to seize the person of Gaika, in March 1822. An officer with a party of cavalry was suddenly sent in to carry off this long-favoured chief from his own kraal. The kraal was surrounded by night, and the hut in which Gaika actually lay was searched; but having adroitly disguised himself in the dress of one of his portly "queens," the trembling king escaped detection and captivity. This unaccountable transaction, which occurred in a time of professed peace and amity, has, I am aware, been subsequently *disclaimed* by the Colonial Government, and even its existence absolutely denied; but I know, nevertheless, from the *very best authority*, that it did take place exactly as I have described it. I pretend not to unveil the mysterious purposes which it may have been intended to promote. One of its results, had it succeeded, is pretty obvious—another violent outbreaking of the Caffers, or at least of Gaika's personal adherents. Gaika, after this affair, precipitately removed his residence, from the vicinity of the frontier, about thirty miles farther inward; and, for a considerable time, manifested (with some reason) great suspicion of his English "protectors." *

At length poor Fraser, who had for a short time held the nominal command, but whose health and spirits had long been broken, breathed his last, and Major Somerset hastened down to assume the command on the frontier. Colonel Scott and two senior Majors were removed from the frontier to make free way for him. Other senior officers, as they successively arrived from England, were detained, by various manœuvres, at Cape Town, and Major Somerset continued Commandant. Under his auspices, of course, the posture

* During the time that Colonel Scott was commandant, Lord Charles was very desirous to obtain the permission of the Home Government for a farther augmentation of the Cape Corps. He wrote, therefore, to Colonel Scott to inquire whether there were any threatening appearances in the demeanour of the Caffre chiefs, or other indications of danger to require a stronger defensive force on the frontier. Scott replied in the negative, and inclosed a letter from Mr. Thompson, the Government Missionary in Cafferland, corroborating his statement of the peaceable disposition of the chiefs. Within three weeks however, (though no change took place in Cafferland,) Colonel Scott thought fit to send his Excellency an entirely different statement, as full of apprehension and alarm as could possibly be desired; and, upon this, his Excellency grounded a despatch to the Home Government, "brimful of horrors"—and obtained, of course, the augmentation he so much wished for. Colonel Bird can, I believe, furnish the *precise details* of this transaction.

of affairs was speedily changed. *His* hands were not "tied up." He was anxious to gain laurels. He marched into Cafferland—attacked the chief Makomo, and carried off seven thousand head of cattle, which were distributed amongst the frontier boors and the soldiers of the Cape regiment; and a gasconading bulletin of this exploit was inserted in the Government Gazette, to diffuse the fame of his zeal and ability.* Attacks were subsequently made on

* I insert this bulletin, as a curiosity of its kind, and as a fair sample of South African humbug:

"Cape Town, Saturday, December 20, 1823.

"By the last mail from the frontier, the important intelligence was received, of an attack which his Excellency the Governor had directed to be made on the Caffies, having been crowned with complete success.

"It appears that Major Somerset, of the Cape corps, commanding on the frontier, assembled at the Riet river, on the 3d instant, the two squadrons of cavalry of the Cape corps, 100 mounted burghers from Graaff Reinet, under Commandant van Wyk, and 100 mounted burghers from Albany, under Commandant Durant. This force moved off at 7 p. m. on Thursday the 4th, to attack M'Como's kraal, hitherto considered almost inaccessible, from the excessive steepness of the mountain, over which it is necessary to pass.* Capt. Aitchison, with 100 men of the Cape infantry, joined the forces at the Kat river, at 12 at night. Having passed the post of the Kat river, they commenced climbing the stupendous Kafferberg mountain, and gained its summit at daybreak on the 5th. Major Somerset having here collected his force, passed with celerity along the ridge, and at daylight, had the satisfaction of pouring into the centre of M'Como's Kraal with a rapidity that at once astonished and completely upset the Caffers. A few assegais were thrown, but the attack was made with such vigour, that little resistance could be made. *As many Caffres having been destroyed as it was thought would evince our superiority and power*, Major Somerset stopped the slaughter, and secured the cattle, to the amount of 7000 head, and had them driven to Fort Beaufort, where kraals had been previously prepared for them. The force returned to Fort Beaufort on the evening of the 5th, after having being twenty-two hours on horseback, in an extremely hot day, without water; but we are happy to add, without a single accident or casualty.

"In the night of Saturday the 6th, Major Somerset proceeded with his force to the Chumie, having previously summoned M'Como to meet him on the following day. After several frivolous excuses for not attending, Major Somerset assured him of *immediate destruction to himself and people, unless he appeared*, when he came, and gave the strongest assurances that he would not allow any depredations in future, and would give up all deserters he could find; and owned, that his people had merited the punishment they had received.

"Major Somerset, finding that he was completely subdued, and *sincerely penitent*, promised him any surplus of cattle, after every settler and inhabitant had been completely indemnified for cattle they had lost, in order to save the women and children of his people from want. This has since been done, and has evinced to the Caffres the moderation and liberality of the British Government. Congo and T'Sambie have subsequently also sent to assure Major Somerset of their allegiance and good faith, and have entreated him to convey his wishes to them, and that they will conform to them. Congo has also sent in 100 head of stolen cattle, and has further promised to send all he can collect.

"Major Somerset speaks in the highest terms of praise of the conduct of

* The Kafferberg is a hill of very moderate height, and easily accessible on horseback.

some other obnoxious chiefs, with similar success. Abundance of Caffer cattle were obtained, and Major Somerset became popular on the frontier—except, indeed, among the English settlers, who were *not*, like the boors, remunerated for their losses out of the captured cattle, (though the Government Gazette mendaciously asserted it,) and who were systematically treated by the new Commandant, in conjunction with Landdrost Rivers (a worthy and willing associate), as “*Radicals*,” and trampled down accordingly.*

THE BARD OF LIBERTY.

They say 'tis sweet to die,
When for our country we yield up our breath ;
But sweeter 'tis to glance the living eye,
From tears and pity dry,
On that loved country's foes laid low in death !

Go, wreath the tyrant's brow
With fame's undying wreaths, who list—I scorn
To touch the slavish lyre, or basely bow,
With dull fear crouching low,
To any spirit that poor flesh hath worn.

Give me the hallowed note,
That thrills free bosoms, like the shouts of war ;
When down emancipated dales they float,
Swelling the victor's throat,
And hurling dread to tyrants throned afar !

This is to touch the lyre—
To scare Oppression from her purposed deed,
With fearful images and words of fire,
That bid the brave aspire
To taste of Freedom's charms—or nobly bleed.

BION.

every officer and man under his command, as well as of the good will and activity of the burgher force.

“These operations have been so decisive and complete, that it is reasonable to entertain sanguine expectations, that the best results will ensue ; and that the frontier districts will, for a long period, enjoy that tranquillity that will enable the inhabitants to pursue their agricultural labours without apprehension.”

* This article will be continued in future Numbers. 9 55.

ON FAVOURITE AUTHORS.

WHOEVER reads many books must find among them some for which he will entertain strong predilections. But wherefore? Do these favourite books contain more germs of agreeable associations than any others? Are they such as minister to the growth and vigour of the intellect, by challenging contentious application, or such as open their treasures readily to the reader, and gratify, like music, the present moment, without carrying forward a thought to futurity?

Books, numerous as they are, may be properly divided into two classes: those which require in the reader knowledge and the habit of thinking; and those which do not. But in each genus there are so many species, distinguished by their proper peculiarities, and consisting each of so many individuals differing among themselves, that, in making this division, we are sensible we leave the reader a wide field and great scope for his own judgment and conjecture. It is with books, however, as with men, the pleasantest are not always the most valuable. But as literature is to be valued exactly in proportion as it contributes to happiness, the books best calculated to bestow pleasure, which forms so important an ingredient of happiness, appear, at first sight, to deserve the preference before all others; and whether they do or not, they obtain it. The world judges, however, much more correctly than it acts. Put the matter before it in this light: we will imagine a prince, desirous of choosing from among his courtiers the one most competent to infuse into his son those principles and opinions and virtues, which, when the authority both of father and teacher shall have ceased, may best enable him to act with justice and dignity. Does he search for a man pleasing and insinuating, intent upon diffusing, wherever he goes, enjoyment and vivacity; but still more intent upon making himself the fountain of this delight, that his society may be courted, and rendered, in fact, necessary to the happiness of his companions? Or for one who, having himself learned to derive from his own breast the greatest part of his pleasures, is capable of generating in others a similar power, together with enlarged notions of duty and those social relations upon which it is founded?

Books are mischievous when they beget the idea that happiness is to be derived from books; no matter whether this idea be clearly and distinctly recognized by the mind, or only a vague persuasion operating imperceptibly on the conduct. It is an undoubted fact that the greater number of books have a tendency to weaken and perplex the mind, and to diminish exceedingly the sources of human felicity. No doubt they may find advocates, for there is no pro-

position mailed so closely in the armour of truth as to dishearten all attempts at wounding it. But what can be so destructive of all nice powers of perception as that perpetual transition from one new trifle to another, in which the lives of what are called the "reading public," are consumed! What so certainly productive of that mental effeminacy which craves after excitement with a fierceness resembling the hunger of a besieged garrison! Who can be happy that depends upon the contents of 'Blackwood' or the 'Edinburgh Review,' for topics to think or speak upon for a month or a quarter of a-year to come? Thousands now watch as eagerly for the appearance of a new novel, as the Mohammedans, towards the end of the Ramadan, do for the new moon, or the Jews on a fast day for the first star. Is this the genuine thirst of well-regulated minds for knowledge, or an unnatural appetite for novelty, created and maintained by the peculiar circumstances of the times! We talk of the passion of the Athenians of Phocion's time for theatrical representations; but our own passion for frivolous reading, to say nothing now of our other amusements, is not less absurd. Book-making, reading, and gambling, occupy half the nation.

It is not among these indiscriminate devourers of novelty that we are to look for the admirers of favourite authors. They have no time for favouritism. Like death, they swallow whatever accident or misfortune brings within their capacious grasp, and are always ready for more. It is not their province to linger fondly on some beautiful passage, or some bright idea, as the mind always lingers about what it loves; or to turn back with affectionate reverence to the first mute teachers of their youth, to try whether the same noble sentiments would still find the same warm responses in their heart? No. The author of to-day is always superior in their judgment to the author of yesterday; and as to such as lived and wrote in former times, the superior lights of modern civilization render it perfectly unnecessary to consume gas or candle light in discovering how little they had the good luck to understand in those barbarous ages.

To make an idol, however, of some one writer, as many do of Shakspeare, and have done of Homer, is a no less certain mark of weakness of understanding. It is from the same mean spirit that in politics leads them to worship a monarch, and bless the destiny which gave them a haughty hereditary superior. No writer deserves this exclusive preference. There is no Jupiter in the republic of letters. Vulgar understandings, however, always require some jealous object of adoration, which they may suppose perfect, being impatient of that long and sceptical survey of men or books, which hesitates to confer the crown of excellence, and dies doubting. The absence of fanatical preference by no means supposes a captious disposition to censure; for the man who does not, like

Don Quixote, imagine his mistress entirely a Venus, may, notwithstanding, be a very ardent lover. Indeed, the representatives which some men have left us of their souls are so essentially beautiful, that, although some slight traces of the earthly mould still clings upon the image, the general lineaments and expression extort our warmest applause. But, we confess, that they who can single out from the immortal group some one figure, and pronounce it the most beautiful, must possess more taste or more presumption than we pretend to. Perhaps, however, so much may not be implied by choosing a favourite author; it may, after all, consist in yielding to an involuntary preference, arising from some secret affinity between the admired and the admirer. Oftener still it may take its rise in affectation, and become real from time and custom.

But, in what way soever it arises, a moderate preference for some one great author, indulged with judgment and continued for a course of years, or for life, is one of the surest roads to excellence and the renown it bestows. There is no danger that a strong mind will lose its originality by such an intimacy, and sink into slavish imitation; or the same argument would hold against forming a close personal friendship with any great contemporary. For, whatever may be said, the habit of constant intimacy with a living friend is much more likely to affect our notions and our style than any familiarity we should be likely to form with a deceased author's remains. And, after all, for what purpose do we read, if it be not, that by studying the ways in which others have expressed their thoughts, we may learn, when we also have thoughts worth expressing, to convey them to others in the best manner possible? None are in danger of being injured by imitation, who are worthy that we should entertain a fear for them. Great painters imitate each other without scruple. The world expects that they shall imitate, and therefore our young artists are packed off in shoals to study the frescoes and statues of Rome. To be sure, there are critics who anticipate, that from the contemplation of the antique nothing beautiful or original can possibly spring; though whatever Michael Angelo or modern sculpture has done, would never have had any existence but for the beautiful wrecks and fragments of antiquity scattered over Italy. These created their taste and awoke their emulation, and art has long despaired of producing anything more exquisite.

Ordinary authors imagine, that when they admire a writer, they should show it every moment by appealing to his authority, or speaking in his words. Hence their thoughts are but echoes of his, and their style a string of quotations adorned with inverted commas. Now, Aristotle, however paradoxical it may seem, was Bacon's favourite, though Bacon never said so: and it is to his secret struggles to rival that great master of reason that we owe the *Novum Organum*, and those other splendid fragments of the *Magna Instaur-*

ratio, which will survive the Coliseum and the Pyramids. Had Bacon made a pet of his genius, and kept it sedulously aloof from the influence of that great mind, buried, but not slumbering, in his ponderous Greek tomes, the world might still have shown more of the cobwebs of the middle ages than are now seen deforming our institutions.

It is a very usual thing with those who affect singularity, to be more than ever singular in the choice of their favourite authors. These never fail to be some of those illustrious obscure, whom the world with one consent decrees to condemn to eternal oblivion; and will, notwithstanding those silly admirers. Coleridge, in his 'Biographia Literaria,' that most singular tissue of mysticism and nonsense, pretends to trace Hume's philosophical notions to a long-forgotten tract of Thomas of Aquinas, because, it seems, he or Payne Knight discovered a copy of the tract in question with Hume's MS. notes upon it. Coleridge would have been too happy could he have traced our philosopher's footsteps among the subtleties of the Angelical Doctor, to have withheld, with the rest of his renegade school, the proofs of the fact from the public. It would indeed have been singular to find the favourite author of a sceptic, not among the great writers of his own creed,—“if creed it may be termed, which creed is none,”—but among trifling theological disputants, fighting habitually with opponents less noble than a wind-mill. Hazlitt observes acutely, that Coleridge himself always contrived to prefer *the unknown to the known*. This is the trick of all persons of his stamp. They would be thought to judge more finely than the whole world, and could create this impression only by making it clear that they had discovered wit where ordinary mortals find nothing but dulness, and where they find obscurity, light. Coleridge should have lived in the middle ages. He would have made a figure among the Irrefragable Doctors, who illustrated the balance of equal motives, by supposing an ass, equally hungry and thirsty, placed exactly between a pail of water and a bundle of hay, and starving for want of decision.

There is nothing extraordinary in liking an author whom every body likes. It seems a vulgar predilection, unworthy of a wit. But it may perhaps be worth while to consider for a moment whether we would wish to resemble him, whose beauties are visible to every eye, or one of those hieroglyphical sages, whose profounder meaning must be divined at by a Young or a Champollion. For our part, we are utterly common-place in our favouritism, admiring precisely those very authors who, with very few exceptions, stand, and have always stood, highest with the public. There is, indeed, as much difference between a great author and a writer of philosophical puzzles, as between a prophet and an historian: vagueness, cloudy eloquence, the lightning of metaphor, marshal themselves in the prognostication, before the sense, and dazzle while they

delude the eye that attempts to penetrate through them into futurity; in the great narrator of facts we discover, not merely the acts of this or that nation, but the actions which mankind are constantly performing. Futurity will still reflect the past like a mirror. In the past, therefore, where the deeds and misdeeds of mankind stand arrayed in sunshine, we may behold the future; and for this reason, historians are always enumerated among the favourite authors of all thinking men.

This idea leads naturally to the reflection, how glorious a thing it is to become one of the favourite authors of mankind. All men, who make the study and exposition of their own thoughts their profession must, we apprehend, experience immense difficulty in discovering a proper nucleus around which to arrange the ideas they most value. Yet, without such a nucleus, or *point d'appui*, if this expression be better, there is scarcely, perhaps, any effort of genius sufficient to elaborate an immortal production, a production which, amid the vicissitudes of time, the revolutions of learning, the variations of taste, the changes of opinions and religions, shall still find in every country and in every age, admirers, imitators, guarantees for the continuance of its fame. It is certainly something very noble to make one's voice heard through all the din of a thousand years; to be the creator of expressions, with which, when we have long been mingled with the elements, unborn generations shall be thrilled with pleasure, or made wiser, or better, or more content with their lot; to transmute our fleeting thoughts into imperishable signs, which may be made as numerous as the sands on the sea-shore, and as lasting as the world; and, by means of these, to make ourselves the companions of man's fortune for ever, and hold sway over his resolutions, and temper his passions, and influence his happiness, like a household god, ever ready to be consulted on his domestic hearth, and ever advising that, which, followed, must render him our grateful debtor! To become one of these oracles, to change ourselves from frail, changeful, transitory beings, subject, like the most ignorant, to sorrow and sickness, into impassive, unchangeable, eternal somethings, is surely reward sufficient for a few years of abstinence and watching, and toil, and endurance, and study.

REVIEWERS REVIEWED.

Strictures on Indian Affairs—The British Critic and Monthly Review.

HAVING closed the leading article given under this title in our Number for December 1826, with a promise of renewing the consideration of the subject in our next, we hasten to redeem our pledge, by taking up the thread of our analysis and comment at the point at which its course was there interrupted. In furtherance of this object, we pass from 'Blackwood's Magazine' to the article headed "British India," in the 'British Critic' for October last. It purports to be a Review of Sir John Malcolm's 'Political History of India,' and Mr. Lushington's 'State of the Religious and Charitable Institutions in Calcutta:,' and, chiefly on these authorities, it dilates on the great general questions of Indian government and policy. To such passages of this Review as relate to the books mentioned, we do not at present intend to advert, reserving our opinions on these for a future occasion. But we shall select such portions of the general observations contained in the 'British Critic' as may appear to us worthy of extract, either for approbation or censure. We begin with its opening expression of surprise at the indifference manifested in England on all subjects connected with India:

"If anything can be more extraordinary than the British empire in the East, it is the apathy with which that empire is regarded by its possessors. This nation has proclaimed itself lord paramount of the peninsula of India—it has assumed the actual government of half of that immense territory, and is virtually master of the rest. From the Indus to the Ganges, and from the Himalaya to Cape Comorin, 'through all that vast extent of country there is not a man who eats a mouthful of rice, but by permission of the East India Company.' And yet the great body of the nation, the Lords and Commons in Parliament assembled, the mass of their most intelligent and influential constituents, the lights of the law and the church, the ornaments of either university, our eminent merchants, our historical and political students, know very little more of the East Indies than of Peking or Timbuctoo. It seems, at first sight, that there is an obstinate determination in the public mind to continue in this ignorance. Circumstances have repeatedly occurred which were calculated to direct universal attention to this interesting quarter of the world. It was on the Indian field that the great statesmen of the last age contended for popularity and power;—that Mr. Fox was irreparably defeated, and the triumph of Mr. Pitt secured. It was on the same field that Mr.

Burke and Mr. Sheridan astonished their contemporaries with eloquence which has never been surpassed, and enriched our language with its most elaborate oratory. It was here, too, that the success of our negotiations and our arms afforded a bright and encouraging relief, when there was nothing to be seen in other parts of the globe but disgrace, disaster, and dismay. It was here that the jealous eye of rival nations, and even the penetrating glance of Buonaparte was fixed, as the spot where English power was most assailable; as the theatre on which, if the part that we had played was a part of ambition and injustice, which they could not consistently condemn, it was a part, likewise, of well-sustained effort, of uninterrupted heroism, of consummate political skill, and great national glory.

“ But the various excitements thus offered to the English mind produced little or no effect. In the instance of Mr. Fox’s India Bill, national attention was quickly diverted from that extraordinary measure to be devoted for a quarter of a century to the indirect consequences by which it was attended. In the impeachment of Mr. Hastings, the speeches of Sheridan contributed to sustain the reputation of that great but irregular genius to the melancholy close of his career; and those of Burke will endure to a much later day, to delight by their eloquence, knowledge, imagination, and wit, and to grieve the heart of every friend to his memory by their cruelty, intemperance, and venom. The public listened in stupid admiration to both these great men, and remained, during the whole of their protracted prosecution, ignorant of its merits, and indifferent to its result. The victorious administrations of Marquis Cornwallis and Marquis Wellesley were forgotten before they could be recorded. The more recent triumphs of Marquis Hastings are not known, or regarded, beyond the immediate precincts of the India House; and, even in this dull, uneventful season, the only war which raged in the world has been brought in silent successes to its close, without exciting one decided expression of censure or applause.

“ Nor is the civil government of India a more fortunate candidate for public notice than its military affairs. The abuses and irregularities which preceded the administration of Lord Cornwallis have been corrected; fresh evils of a different description have sprung up, and are bearing fruit; and what does the nation at large know or care about either the one or the other? The commercial monopoly of the East India Company has been divided into two parts; half of it has been annihilated, and half of it has been preserved: and what attention have we bestowed upon the causes or consequences of these measures? The last renewal of the charter took place at a time when the government and the country were intent upon France and Spain, and had not a moment, or a word, or a thought, to throw away on India. The Company and its advocates

produced witnesses and arguments to prove that the commerce could not be opened without the ruin of every individual who engaged in it, and the ultimate loss of our empire. Merchants and manufacturers called loudly for a free trade. Ministers pronounced the monopoly a nuisance, and resolved to continue the most considerable branch of it for the term of twenty years. With the single exception of Lord Grenville's speech, there was not an attempt, upon the part of any leading statesman, to discuss the great questions of Indian policy, and the whole business was huddled up, and concluded in a manner which will excite the astonishment of posterity, and which nothing but the circumstances of the time can excuse.

“ We apprehend that the cause of this neglect may be easily pointed out:—it is not the distance of the scene; it is not an idea that its affairs are unimportant; but it is the separation which exists between the Indian and all other business. The British dominions in the East have a government of their own; the young men who are proceeding thither have an education of their own; the old men who return from it have their own peculiar occupations, habits, associates, and interests. The soldiers constitute a separate army; the sailors are a class by themselves; the judges, and lawyers, and clergymen, are hardly known among the untravelled members of these respective professions; and the consequence is, that the two countries are as little acquainted with each other as they were fifty years ago. *But this unnatural state of things cannot last*; whichever way we turn, there are evident symptoms of its decline. The monopoly of the China trade can hardly be renewed: Anglo-Indians are beginning to return home at an earlier age, and will, of course, mix more and more with the rest of the people. The superior education received by the Company's servants makes them much more capable of explaining its situation, and enforcing its claims, than they have heretofore been. The Government at home is stronger, and more at leisure, and appears to be more decidedly bent upon the introduction of practical improvements and reform, than at any previous period of our history. And, what is a better sign than all the rest, a conviction that it is our duty, as a nation, to convey moral and religious instruction to the East, is gradually forcing itself upon the minds of the people; and a feeling is excited upon the subject, which may lead, under proper direction, to the happiest results.”

We have little to remark on this, except to say that although we entirely agree with the writer as to the *fact* of the apathy and indifference of which he complains, we do not think he has rightly conceived the *causes* of the evil. It appears to us more easily accounted for by the circumstance that no persons in this country have any *property* in India likely to be affected by events arising there: for, as it is emphatically said in Holy Writ, “ where the

treasure is, there will the heart be also." We agree with him, however, entirely, in believing that such a state of things cannot last, and are happy to find that in the highest and most influential quarters there is already a fixed determination that they shall not continue longer than the term fixed by law for their enduring.

On the subject of our subjugation of India,—which the writer in 'Blackwood' supposes to have been as much under the direct agency of the Supreme Being, as the conquest of Canaan by the Israelites, when he says, "we never ought to conceal from ourselves, that in the eye of Him who has *given* India into our hands, we are *awfully* responsible for the happiness of the people who inhabit it."—the writer in the 'British Critic' has a different opinion. Such an assumption, as that God has *given* us whatever we may have chosen to *take*, is no doubt a very convenient soother of a troubled conscience. But it might be said with as much propriety by the Turks in their conquest of Greece, the French in their invasion of Russia,—or in any other case of plunder and spoliation, that can be named, as in the case of India. In speaking of the wars with Tippoo in the Mysore—the Mahrattas in the north-west of India—and the treaties which followed, the 'British Critic' says: 955.

"The ability with which these operations were designed and executed is beyond dispute: but their necessity and justice are questions upon which we are not to expect unanimity. The reasons assigned in the foregoing extract for the war against Sindia are not satisfactory to us; and while we admit that the maintenance of peace might by possibility have led to the establishment of a formidable French power in India, we cannot understand how so uncertain a contingency could authorise the complete destruction of the parties to whom we were opposed. The English Government, and the English people, were of opinion at the time, that Lord Wellesley was pursuing plans of ambition and conquest, and he was recalled on that account from his Government. Sir John Malcolm pleads zealously for a reversal of the sentence that was then pronounced. But his object never can be gained, until he establishes a new theory of the law of nations, and persuades mankind to acknowledge that a country which has obtained dominion in a distant quarter of the world has a right to subvert and destroy every power by which that dominion may be endangered. On no other principle can it be shown that our national career in the East is entitled to the epithet of *just*. Success has varnished many of its defects, and Marquess Wellesley enjoys the renown and popularity of a conqueror. But if his friends and admirers require us to acquit him of ambition, they must prove the necessity of his offensive wars by better arguments than Sir John Malcolm has produced."

And again:—after entering into a detailed examination of the

passages relating to the administrations of Lord Cornwallis, Sir George Barlow, Lord Minto, and Lord Hastings,—the writer adds :

“ On the whole, Sir John Malcolm has undoubtedly shown that the conquest of India by Britain is of a very peculiar kind. It has little or no resemblance to former triumphs in that country : it was not planned or desired by the authorities at home. The express, the repeated, the persevering orders from this country to abstain from aggrandizement, might almost suffice to exonerate the mother country from the blame which attaches to the transaction, and leave her nothing but the honour of having produced the men, and furnished the means by which that mighty empire was won. Yet, still, if she is required to produce the title-deeds to her Indian estate, she has nothing to bring into court but her sword. *Justice and equity have little to say on the occasion.* She rules in India by the self-same title by which the Spaniards rule in Mexico, or the Saxons in Britain : and it is only by the use which remains to be made of her power, that she can distinguish herself from the vulgar herd of usurpers and conquerors, and atone, in some measure, for the assumption of an authority of *which the origin was decidedly unjust.*”

All this is undeniable ; and every attempt made to gloss over the crimes by which the empire of India has been progressively wrested from its native and lawful princes and people (for each have been plundered in their turn) serves only to show the nakedness of the iniquity the more. It is, therefore, as the same writer judiciously observes in another place, “ more imperative on us as a duty, since we *have* taken possession of the country by force and fraud combined, and are not sufficiently virtuous to relinquish any portion of our ill-gotten treasures to the management of those to whom they originally and of right belonged,” that “ our power should be improved, until it becomes the instrument of making India rich, happy, virtuous, and wise,” (p. 198 ;) and it is soon after wisely added, in answer to the objections raised, when the transfer of the Company’s Government to the King is mentioned, and as a reply to the difficulties which are constantly urged in the way of such transfer, that “ the nation would readily adopt the opinion delivered by Mr. Canning in 1813, that if it were determined to dissolve the Company, there would be no great difficulty in devising a *better* instrument for the Government of India,” (p. 199.) But how is every attempt to make this country and its people “ rich, happy, virtuous, and wise,” met by the advocates of the Company and the eulogists of things as they are ? Invariably by some vague apprehension of alarm for the safety of the empire, and appeals to the *fears* rather than to the *reason* of those on whom the decision of such questions and measures depend. In the Appeal made last year to the Privy Council against the late laws for restraining the freedom of the Press in India, the advocates of the law do not

attempt to show that it was *reasonable* or *just* : but the continued burthen of their speeches was : “ It is all very well, my Lords, in this free and happy country, to encourage free and liberal institutions ; but if you attempt to do the same thing in India, where the people are not *prepared* for the change, you will inevitably lose the country, and where then will be ‘ the brightest jewel in the British Crown ? ’ Take our words for it, my Lords, give but a Free Press to India, and the country is lost ; It really *must* not be done.” In the same strain, Mr. Adam, and the whole herd of pretended alarmists at the India House, (for dull as they are, they cannot be so stupid as really to feel what they pretend,) cry out, not merely against the diffusion of general knowledge through the press, fearing the natives should get too wise, and perceive what they call our weakness, but which we should rather call our injustice, but also against the introduction of any other description of change in their habits, modes of thinking, or even of belief. Sir John Malcolm indulges in the same strain, whether he speaks of the introduction of a more enlightened knowledge, or a purer faith, among the enslaved and benighted people of India ; and the ‘ British Critic ’ has very happily stated these objections, and very ably answered them in the passage which follows. Speaking of the opposition made to such improvements by the author of the ‘ Political History of India,’ the ‘ Critic ’ says :

“ But Sir John merely tells us, that such and such things *must not be done*, that our empire is *held together by a charm*, and that, when that charm dissolves, we shall find that it consisted of *abstinence from attempts at conversion*, and that danger *must* ensue from the encouragement or support of missions by Government. *This argument has been used so often, that it begins to lose its force.* If we inquire what the danger is, there are no two men who will give the same account of it. Thirty years ago it would have been deemed, in the first place, impossible, and, in the second, extremely hazardous to educate the male and female children in our great Indian towns. At present it is done with universal applause ; it is done at the expense of Government, it is done with rapidly-increasing effect. Ten years ago it was declared impossible and most hazardous to introduce religious instruction into the Native schools ; but Bishop Middleton attempted it ; the attempt succeeded ; no inconvenience has followed, and if obstacles exist to an extension of the system, it is to be found, not in Asiatic, but in British prejudice and bigotry.”

Exactly the same arguments here used with respect to missions, have been also used with respect to the Press : though they are much weaker when applied to the latter than to the former : as in the one, there are no doubt deeply rooted prejudices to be wounded and destroyed before success can be attained : but in the other there are none whatever to offend. The people of the country do not appeal to

the King upon the throne for Missionaries to be sent among them to teach them a new faith ; they do not appeal to the highest Law Authorities in India against restraints placed on the free passage of Missionaries through their dominions ; but they *have* appealed to the Majesty of England to grant them the privilege of free discussion, never before denied them by the worst of their Native despots ; they *have* appealed to the Courts of India against restraints on their thoughts and words, unusual and derogatory to their character, and insulting to their loyalty and honour ; and, therefore, if any attention whatever be due to the wishes of the people, the reasons for granting them a Free Press for the diffusion of *general* knowledge are still stronger than those for affording them the means of adopting a purer system of *religious* belief and practice ; while the arguments opposed to each, being nearly the same, with a mere change of terms for the thing opposed, are equally contemptible. The 'Critic' proceeds :

" Similar variations and discrepancies may be discovered in the sentiments of the different settlements. At Calcutta the leading members of the administration—we believe we may say every one excepting the Governor-General, who was probably pledged to non-interference before he left England—have enrolled their names as supporters of the Society for the Propagation of the Gospel. At Bombay, the Governor has long been friendly to the education of the Natives, and anxious to bestow upon them all knowledge except the knowledge of Christianity. Even this he has consented to inculcate under the auspices of the Bishop and the Society—while members of his Council prophesy, that every step towards the improvement of the people is a step towards the downfall of British power. And at Madras, Sir Thomas Munroe, one of the ablest men in India, dismisses Natives from their employments for no imaginable reason, but the crime of understanding English—a crime, by the way, for which the self-same persons in Calcutta are paid and promoted. Individuals differ quite as much from one another : Sir John Malcolm thinks, that 'unaided and unconnected missionaries' will do no harm, but admits, at the same time, that they will do no good. Mr. Lushington, with far more apparent reason, warns us against 'itineracies and field-preaching,' the prevailing practice of unaided and unconnected missionaries ; and 'which every day's experience shows to be nugatory and productive of injurious consequences.' The witnesses examined for the Company in 1813, at the bar of the House of Lords and House of Commons, from Warren Hastings downwards, declared, one and all, that *the residence of Europeans, not servants of the Company, in the British dominions of the East, might cause the utter extirpation of our power, and the massacre of every man, woman, and child.* Nor must it be forgotten that the same host of witnesses, men of great experience, character, and talents, declared almost as unanimously, that Christianity was not wanted in India, and that the Natives were better without it."

And what has been the result?—Europeans of all classes, including even the dreaded class of Englishmen, have settled in India, not being in the Company's service, yet our power is not extirpated, nor every living being massacred: nay, our power has since then increased in its stability as well as extent; and massacres have been much fewer there than formerly. The same absurd predictions were used respecting the free trade and the free press. Every body who entered into the one was to be ruined; and the encouragement of the other was to be the overthrow of the empire. Yet the free trade has ruined few, and enriched many; while it has laid the foundation of a future intercourse of the most beneficial kind. The free press existed for nearly five years under Lord Hastings's rule, and never was the country so prosperous, so tranquil, or so happy, as during that very period!

Need we say more to show the folly of listening to such false prophets for a moment longer. Not one of their predictions has been verified: nay, they have all been falsified: effects the very opposite to those predicted by them being produced. And yet, they still continue to utter these silly puerilities, as if they had never been questioned, while equally silly hearers are found to listen to them, as if they were oracles. Verily, the infatuation of some men is inconceivable.

We must conclude our notice of the article in the 'British Critic,' which deserves attentive perusal, with the following pithy, yet perfectly accurate summary, (p. 212,) with which Sir John Malcolm, and other advocates of a stifled press and despotic government in India, generally wind up their objections to all interference on the part of benevolent individuals to make the Natives of India, what it has been declared our duty to make them, more "rich, happy, virtuous, and wise," than we found them:

"The British Government (say they, when they address such individuals) does not *permit* you to interfere." It is therefore contrary to law that you should even attempt it: and when they turn to the Natives themselves, they exclaim, "The British Government *rules* you: it *taxes* you: it *judges* you: and, if necessary, it *punishes* you. What would you have more? Would you have it also *teach* you? Was ever any thing so unreasonable? Would it be decent? Would it be tolerable?" Deluded beings that you are; was it for this, think ye, that we came among ye? Go to: and learn to be content with the honour of being ruled over by a great and magnanimous nation!

There remains but little to say on the article contained in the 'Monthly Review.' The writer commences with admitting the talent and information of Sir John Malcolm; but offers reasons why he should not be regarded as a competent or impartial writer on Indian affairs. He considers him, however, (p. 167,) a proper balance

to Mr. Mill, whose 'History of India' he calls a "laborious philippic" against the Company and its servants; and thinks that truth would be found somewhere between the two. In one place, (p. 170,) he calls the work of Sir John "the most disorderly piece of patch-work which any writer of acknowledged abilities, in our own times, has produced;" in another, (p. 181,) he considers it as hasty and ill-arranged, and far from satisfying his expectation of the writer's powers; he differs also in some very material points from the views taken by the author, more especially as it regards the conquest of India by the British. The reviewer (p. 181) complains of Sir John Malcolm for not giving to the world a "well-digested essay" on the great principles of our Anglo-Indian Government, instead of "contenting himself with a few *crude declamations*," which many of his assertions, unsupported as they are by any argument whatever, well deserve to be called. But in reproving his author for this fault, the critic, as is not uncommon, falls into the same error himself. We shall present the reader with a specimen, in which the reviewer admits our possession of India to be a clear robbery, without the least shadow of prescriptive right; and yet, in the same breath, contends, that having stolen this jewel of the earth to place it in the British crown, it would be a gross absurdity to think of restoring the stolen gem on a mere scruple of conscience!! These are his very words. If such a sentiment were uttered by a highwayman it would be in keeping with his vocation. But in what class of moralists the reviewer must be ranked who openly avows and defends this sentiment as a rule of action for his country, we are at a loss to conceive. If this be the sort of patriotism which is in fashion now, we claim no participation in its spirit. But let the critic speak for himself:

"It is chiefly with relation to this last question, that our author has examined the political history of India, from the year 1784, to the present time; and his object appears to be to defend both the justice and necessity of the system of aggrandizement, which has been pursued for forty years, with little intermission, until it has terminated in the universal supremacy of the British dominion. On the first of these points, he has argued with the warmth and prejudice of an official partizan; and we cannot help thinking, that he would here have done well to leave justice out of the question. Our Eastern empire has been one throughout of mere absolute conquest, *unsupported by a shadow of prescriptive right, or other well-founded pretension*; and it is a strange obliquity of judgment which can measure its original establishment and subsequent growth by the standard of lawful possession. It was won and aggrandized, and *must* be maintained, if maintained at all, solely by the power of the sword, and *the law of the strongest*. Whatever rash and isolated aggressions of the Native states may have provoked its extension, their hostility to our power was warranted upon the broad maxims of self-defence; and it might be justified

by every aspiration after national independence, which is dignified in our northern world by the sacred name of patriotism, or the manly principle of *impatience under a foreign yoke*. We had never a right to plant a foot on their soil; and no sophistry can evade the fact, that it is *we* who have ever been the *real aggressors* in all our triumphant struggles with them."

There is in this a sufficient mixture of truth and error to deserve the character we have already given to the writer's remarks; for none but the shallowest understanding would contend, that because we had won a country by the sword it could never be ruled by any other means, as there is no necessary connection whatever between the mode of conquest and settlement, and the system of rule afterwards; and to consider that a feeling of impatience under a foreign yoke, is a manly principle, which deserves to be called by the sacred name of patriotism, and rewarded among ourselves, while it should be put down as sedition and rebellion, if ever evinced by the people of India, is a degree of sophistry or impudence of which it would not be easy to find a parallel. But the truly "crude declamation" follows: let the reader judge for himself. The critic goes on to say,

"The plea of *necessity* is the only one that can in any measure excuse the continual extension of our conquests; and here we perfectly agree with our author, that, 'from the day on which the Company's troops marched one mile from their factories, the increase of their territories and their armies became a principle of self-preservation.' The opinion of Clive, that 'to go forward was inevitable, to retract impossible,' was not more prophetic than it was founded on necessity. Since empire *had* been seized, it would have required a *purity of public virtue*, or rather a *quixotism*, of which there is no example in the history of nations, to have abandoned such *precious* acquisitions, and resigned the wealth of 'the gorgeous East,' *upon a scruple of conscience*. The very contemplation of such a self-denial of national prosperity would be to argue a *gross absurdity*. But such a question we may safely leave to the responsibility of our *forefathers* to settle: the empire *has* been gained, and it is for the rulers of our age to *consecrate its original wrong*, by a worthy employment of it to the happiness and moral improvement of subject millions."

It appears by this, that having committed one gross injustice, we were driven by *necessity* (the robber's, as well as the tyrant's plea) to follow it up by other acts of still greater injustice, in order to justify our first crime. What is this but the excuse set up by the most desperate malefactors. "I at first plundered my victim: but *having* done this, it would have been a most absurd piece of self-denial to restore any portion of the plundered property to its owner: so, in order to be quite sure of my spoils, the moment he remonstrated, and began to talk of restitution, I silenced him at once by binding him hand and foot; gagging him, to prevent his

cries ; and then, trampling my foot upon his neck, made him sue for mercy, and admit that mere existence, received at my hands, was a blessing which he could only enjoy by my permission and favour." Such might be the language of any accomplished robber, who, but for the entire submission of his victim, might have been a murderer also : such is the language held by a British reviewer to plundered and prostrate India. But the mockery of leaving our forefathers, who are in their graves, to settle or atone for the original wrong, while we derive all the benefit of it, and delude the world with promises of employing it to the improvement of the impoverished millions, is the most hollow and heartless thing that we have either heard or seen, even in modern times. If such a principle as this, that plundered treasures, however wrongly obtained, may, by subsequent judicious application, become consecrated and purged of their original character, were once admissible, it would justify any man in England in robbing his neighbour or the state to any extent that might be desired, provided he built a hospital, or even a jail, with a portion of the plunder ! After this specimen of the 'Monthly Review,' the reader will be prepared for any thing, however grossly absurd, or thoroughly unprincipled, from the same source. We shall conclude our strictures with a specimen that appears to us to partake of both, beginning too, as such "crude declamations" generally do, with a profession of extreme reverence for the very principle which the same paragraph ends in decrying. It is this:

"Yielding to no men in the zealous determination to uphold the principles of *rational freedom*, wherever their operation is *practicable*, we are yet thoroughly convinced of the *absurdity* and *madness* of attempting to apply them, *for ages to come*, to the state of society in India. Our empire in that country is avowedly, *in-nately* a despotism—a beneficent despotism, indeed, it should be the public care to render it. Many generations *must* pass before, *if ever*, a *dawn* of liberty can be *cautiously* opened upon the benighted Asiatic mind ; and *whenever we hear the cant of democracy employed in asserting the rights of a free press in India, we can only attribute the attempt, either to a political fanaticism, which is incapable of sane judgment, or to more premeditated designs of mischief.*"

This is really the most empty and dogmatical specimen of folly and arrogance combined that we ever remember to have witnessed. Nothing so easy as to put down any thing by words, if words like these could effect it. What, for instance, if we were to copy the writer's own phraseology, and say,

"Whenever we hear the cant of *tyranny* employed in *denying* the rights of a free press in India, we can only attribute the attempt either to a political fanaticism, which is incapable of sane judgment, or to more premeditated designs of mischief."

This sentence reads as well as that of which it is a parody. There are only two words that vary between them. 'They are im-

portant variations, it is true. But what does either prove? Absolutely nothing! They are each *mere* assertions, without a shadow of argument or proof; one is as worthy of credit as the other, till something shall be shown to turn the balance;—that something, however, does not appear; and as they stand at present, they represent the sort of argument which takes place among obstinate boys disputing some usage in a game; where one says, “I say, speaking shouldn’t be allowed”—“I say it should;” to which is still reiterated, on either side, “I say it shouldn’t”—“I say it should;” till each gets house with obstinately repeated contradiction. The sort of dogmatism advanced by this reviewer is exactly of this class, and must have just as little effect in producing conviction. Instead of the unmeaning string of fallacies and predictions contained in the short paragraph quoted, it would have been well if he had first shown that it was not one of the “principles of rational freedom,” to permit the injured to give utterance to their complaints; that it was not “practicable” to make the principles of rational freedom, even when of his own stamp, whatever that may be, come into operation in India. He should have shown *why* it would be “madness” and “absurdity” even to “*attempt* to apply them, *for ages to come*, in that country.” God help the poor Hindoos! One would like to know how *many* ages must pass away, before the generations yet unborn may be made better. For the *present* race there is clearly no hope: for “many,” says this profound oracle, “must pass, before even a *dawn* of freedom can be permitted to be let in, however *cautiously* it may be opened upon the benighted Asiatic mind!” Therefore, *for ages to come, nothing, ABSOLUTELY NOTHING*, according to this humane theory, ought even to be *attempted*! Not so much as the *dawn* of liberty must be permitted till then, *if ever*! for, if this be an *innate* despotism, it must always remain so!!

And is it in the metropolis of England, the island boasting to be the favoured haunt of Liberty—the sanctuary for the persecuted—the shield of the oppressed:—is it in the very capital of the British dominions, to which the world are taught to look as the most free and *enlightened* nation upon the face of the earth, and its Free Press the greatest blessing of the age:—is it *here* that we see these sentiments put forth, in a Work, the conductors of which profess that they yield to no men in their determination to uphold the principles of rational freedom? Alas! for India, if this were the index of the public mind. But it is *not* so. There is a growing interest in her fate, which will soon increase with accelerated speed; and to the light which, before the great struggle for her rescue from that prostrate state to which the poisonous and withering influence of fraud and avarice has reduced her, will be thrown upon her real interests and condition, do we trust for her speedy and effectual emancipation from the deadly incubus that now weighs her down in almost hopeless misery and dejection.

**ORFAH IN MESOPOTAMIA—THE EDESSA OF THE GREEKS, AND
THE UR OF THE CHALDEES.**

[The Editor of this work having now in the press a new Volume of Travels through Mesopotamia, has obtained permission of the Publisher to give the following chapter of the forthcoming volume a place in the pages of the 'Oriental Herald,' a privilege of which he readily avails himself, in the hope of its being more acceptable to his readers than any analysis or review of the whole work, which will be left to other pens.]

ORFAH is conceived by all the learned Jews and Mohammedans, as well as by the most eminent scholars among the Christians, to have been the Ur of the Chaldees, from whence Abraham went forth to dwell in Haran, previous to his being called from thence, by God, to go into Canaan, the land promised to himself, and to his seed for ever.* The Jews say, that this place is called in Scripture Omecardin, that is, the Fire of Chaldea, out of which say they, God brought Abraham; and, on this account, the Talmudists affirm that Abraham was here cast into the fire and was miraculously delivered. †

This capital of the country between the Euphrates and the Tigris, the Padan Aram and Aram Nahraim of the Hebrews, ‡ the Mesopotamia of the Greeks, § and the Paradise of the Poets, || received, from its Macedonian conquerers, the name of Edessa; and an abundant fountain which the city enclosed, and called, in Greek, Callirrhoe, communicated this name to the city itself. In later times, it was called Roba, or with the article of the Arabs, Or-rhoa, and by abbreviation, Orha. ¶

D'Anville thinks that this last name may be derived from the Greek term signifying a fountain; or, according to another opinion, it may refer to the founder of this city, whose name is said to have been Orrhoi, now retained, with some little corruption, in Orfah,** or Urfah.

Pococke says, "This place seems to have retained its ancient name, as many others have done,—Edessa being the name given to it by the Greeks. However, the name of this city seems to have been changed in honour of the Kings of Syria, of the name of Antiochus, and to have been called Antiochia." †† The famous fountain of Callirrhoe being here, distinguished this city from others

* Gen. c. xi. v. 3. and Joseph. Ant. Jud. l. 1, c. 6, s. 5.

† Pococke, vol. i. 159. ‡ Genesis, c. 28, and Josephus.

§ From *μεσος*, medius; and *ποταμος*, fluvius. || Milton's 'Paradise Lost.'

¶ Cellarius, 'Geograph. Antiq.,' lib. 3, c. 16.

** 'Compendium of Ancient Geography,' v. i. p. 426.

†† 'Pococke,' vol. i., part i., c. 17, p. 159, folio.

by the name of "Antiochia ad Callirrhoen;" and there are medals which were struck with this name, though, if it had not been explained by Pliny, it would have been difficult to know what place was meant.*

Niebuhr, however, observes, that the Turks still call the district here, El-Rohha; because a city of the same name, which had been for the most part ruined, was anciently the residence of the Pasha.†

For myself, I can confidently affirm that it is called Orfah by all the Turks, and by the greater part of the Koords and Arabs of the surrounding country; but Rohha by a few of the latter only, and these chiefly Christians. I could meet with none, however, among either, who were able to give a satisfactory reason for the retention of this last name,—all of them believing that Orfah was its original appellation in the time of Abraham's dwelling here.‡

Edessa was thought, even by the early geographers, to be so ancient, that in the time of Isidore of Charax, Nimrod was named as its founder; and the traditions current among the people here, at the present day, ascribe the building of their castle to that "mighty hunter before the Lord."

Before the conquest of this city by the Romans, it was the capital of Osrhoene, an independent kingdom, which occupied the northern and most fertile part of Mesopotamia, and whose inhabitants, since the time of Alexander, were a mixed race of Greeks, Arabs, Syrians, and Armenians.§ This capital, which had taken its name of Edessa under the empire of the Seleucides, from that of a considerable town in Macedonia, still retained it under its change of fortune, as a Roman colony, when it became, from its position, one of the barriers opposed to the Parthians, and to the Persians of the Sassanian dynasty.

* "Arabia supradicta habet oppida Eddessam, quæ quondam Antiochia dicebatur, Callirrhoen a fonte nominatam."—Plin. Nat. lib. 5, 21.

† Niebuhr, vol. ii. p. 332. 4to.

‡ Mr. Gibbon erred in supposing Edessa to have been only twenty miles beyond the Euphrates, it being considerably more than that distance from the nearest part of the river in a straight line.—Gibbon's *Dec. and Fall*, vol. i. c. 8, p. 335.

D'Anville says, that Edessa was placed in the lat. of 36°, and stood at the head of the river Scirtas; the latest authorities make its latitude about 37° 10' N. This author adds, regarding its name:—"On lit dans Plin., (ed. in folio, tome i. p. 268, note 8.) parlant d'Edesse en Osroène, 'nunc vulgo creditur esse Orpha, et alio rursum nomine Rhœa: sed verius citra Chaborem amnem, cui Orpha imposita est, fuisse veteram Eddessam putamus.' Quoiqu'il soit commun dans l'usage vulgaire d'appeller cette ville Orfa, cela n'empêche pas que son nom pur et sans alteration ne soit Rhœa, que la denomination Grecque, Callirrhoe, lui a donnée."—D'Anville *l'Euphrate et le Tigre*, p. 12.

§ "The polished citizens of Antioch called those of Edessa mixed barbarians. It was, however, some praise, that of the three dialects of the Syriac, the purest and most elegant (the Aramean) was spoken at Edessa."—Gibbon, vol. i. c. 8, p. 335.

It was about the time of Christ that it ceased to be subject to its own princes, as Abgarus is said to have written a letter to Jesus, declaring faith in him, and desiring his presence to cure him of a disease. This same Abgarus was the last King of Edessa, who was sent in chains to Rome, about ten years before the fall of the Parthian monarchy, when the Roman power was firmly established beyond the Euphrates.*

Orfah is seated on the eastern side of a hill, at the commencement of a plain ; so that while its western extremity stands on elevated ground, its eastern is on a lower level ; and, with very trifling variations, the whole of the town may be said to be nearly flat. The wall by which it is surrounded encloses a circuit of from three to four miles, and appears to trace out, in its course, an irregular triangle ; the west side of which runs nearly north and south ; the southern side, east-south-east and west-north-west ; and the third, or longest side, on the north-east, connecting the two others by a line of north-west and south-east. The length of the shortest of these sides is a mile, and the space within is well filled ; there being few open places in the town, and where trees are seen, they are generally in streets or courts, or before coffee-houses or places of public resort.

The town is bounded on the west, by modern burying-grounds, gardens, hills, and vales ; on the north, by rising land ; on the east, by a fertile plain, terminating at the foot of a bare ridge of hills ; on the north-east, by this same plain, extending to an horizon like the sea, where it runs into the sandy desert ; and on the south-west, by a high hill, nearly overlooking the town, and crowned with the walls of a ruined castle. The houses are all built of stone, and are of as good masonry, and as highly ornamented, as those of Aleppo. They have mostly a small door of entrance from the street, with an open court, and divans, in recesses below ; while the upper story is laid out in rooms of reception, more expensively furnished. Above this is the terrace, on which, in many instances, are raised central beuches, railed around, so as to form sofas, or beds, as occasion may require ; and it is here that the morning pipe is enjoyed, the evening meal taken, and the whole of the night passed, in summer, by the inhabitants. The Harem, or the wives and children of the family—which that word strictly means, without reference to any number of either,—live here, as much apart from the males as throughout the rest of Turkey, generally occupying a small suite of rooms by themselves, at the other end of the court, into which there is no communication but by passing across that court, and thus being publicly seen by all the inmates of the dwelling.

The streets are narrow, but having a paved causeway on each

* *Gibbon*, vol. i. c. 8, p. 335.

side, with a central channel for water, and, being more or less on a sloping ground, they are generally clean. On the outer doors of many of the dwellings here, I had observed, as at Beer and Aleppo, the inscription of "Mash Allah," with a date beneath, which I now learned was a privilege granted to pilgrims only. The exclamation itself is one generally used in common discourse, to express wonder and admiration, and has here, no doubt, the same application. The date attached is that of the year of the Hejra in which the pilgrimage of the dweller was performed. In commenting on this practice, they never fail to compare it with what they consider the absurd usage of the Christians, who mark their arms and bodies with various figures of saints and angels, to commemorate a similar event. "Ours," say they, "is a confession to all who pass our dwelling of the pious work we have performed, and is never concealed even from the eye of the stranger, since we are not ashamed of the precepts of our prophet. The emblems of the Christian, on the contrary, are not to be seen but when his body is uncovered, and then it is but to show how men can deface the beauty of the human form, which came in the perfection of excellence from the hand of its Maker."

The bazars are numerous and well supplied, and are separated, as usual, into departments, each appropriated to the manufacture and sale of particular commodities. The shoe bazar is small, but peculiarly neat and clean, being wider than the others, and roofed over with a fine arched covering of masonry, whitewashed within, and admitting the light and air from without through grated windows at the top. Most of the other bazars are also covered, and are always fresh, cool, and sheltered both from rain and sunshine. That in which muslins, cottons, and other piece-goods are sold, is equal to any of the bazars either at Smyrna, Cairo, Damascus, or Aleppo. It is from twenty to twenty-five feet wide, including the benches of the shops on each side, which are all fitted up as divans, with carpets and cushions. It is, at least, from thirty to forty feet high, and covered in throughout its whole length by a range of fine domes, in succession, admitting light and air by a sort of lantern-windows in the roof.

This bazar is amply furnished with the manufactures of India, Persia, and Asiatic Turkey, and with some few Cashmere shawls and Angora shalloons; but English articles, which are held in the highest estimation, are extremely rare. I repeatedly heard, indeed, expressions of wonder, as well as regret, from dealers in this bazar itself, at the failure of the usual importations of British goods from Aleppo. Formerly, it appears, there were many English merchants established there, who furnished regular supplies of cloths, shalloons, printed cottons, arms, hardware, and glass. At this moment, there is not one of these establishments existing; and the few bales of cloth, which are to be had from the remaining Frank dealers of

Aleppo, are complained of, as being of a much worse quality, and higher price, than those they had been accustomed to receive. If the English factory at Aleppo should ever again recover from its decline, there is little doubt but that its trade would be soon as extensive as ever, since the superiority of British goods, of every description, seems to have been better learnt by privation of them, than by their actual use.

The khans are numerous, and some few caravanserais excellent. The Khan Khoolah Oghlee, on the skirts of the town, in which the merchandize of our caravan was lodged, could accommodate, in its central court, a hundred camels, with their ladings, in the stables around it, as many horses, mules, and asses; and in the chambers above, nearly two hundred persons. At the head of it, is a good reservoir of water, replenished by a constant running stream, and overhung by a thick-foliaged tree, beneath which the passengers enjoy the pleasures of water, shade, and repose. The Khan el Goomrook, in which we were lodged in the town, has already been described. The chambers below and above could not be less than a hundred, many of them large enough to admit eight or ten persons to sit at a time, most of them furnished with mats, carpets, and cushions, and all forming convenient apartments for the stranger, during the period of his sojourning here. This khan communicates, by one of its gates, with the great domed bazar before described, and by another gate with a smaller street. Over this last, is a mosque, expressly for the accommodation of devout travellers, since it is never visited but by those within the khan, the passage to it being by flights of steps, ascending upward from the inner court. The stranger is thus furnished here with every convenience he can need, without the necessity of quitting the walls of his abode; as he has stabling, water, lodgings, and food close at hand, to be brought to him prepared in any way he may desire; with a house of prayer, in which to offer up his devotions to his Creator.

The mosques that are crowned with minarets, and seen from without, amount in number to about fifteen. That of Ibrahim el Khaleel has already been described: it is the most beautiful in its exterior, though not the largest, and it is also held in the highest reverence and esteem, from its lake teeming with the fish therein preserved in honour of that Patriarch.

The people here believe, that, even if these fish were taken, no process of cooking would make any impression on their bodies, or render them at all fit for food. On my first hearing this, I considered it only as one of the superstitions of the very lowest class, ingeniously imposed upon them, perhaps, to prevent their disturbing a source of supply to the tables of the higher orders of society; but in a party on the banks of the stream itself, composed of some of the most sensible, respectable, and liberal-minded men in the place, I heard this opinion gravely re-echoed from voice to voice, as one

of the incontrovertible proofs of the care which the venerable Patriarch took of his native city, and of the approbation with which he looked down on their labours to embellish, with spreading trees and running waters, the temples which they had reared there to his covenanted God.

I could have assured them, that only on the preceding evening, I had eaten of some of these fish, which had been stolen from the lake by Christians, who thought it less criminal to commit a theft than to sup without some of those delicate morsels, to relish the arrack, of which they drank so copiously before their supper began. Such a disclosure, however, would have brought them into trouble, and their religion, perhaps, into persecution—two evils, certainly not worth incurring, for the sake of undeceiving men, in an error of so harmless a tendency.

The largest of the mosques at Orfah has a square steeple, and this form is also repeated in one of the smaller ones, at the top of which are open double windows in each face, as in the square towers of the Haurān, the division being here made by Corinthian columns, which would seem to mark it as an early Christian work. The general form, however, of the minaret is circular, with a gallery of open stone work near the top, and the summit crowned by a pointed cone, surmounted by the crescent of the faith. On many of these a large bird builds its nest of reeds and bushes, to the size of a small tree, and often as large as the whole diameter of the body of the minaret itself. It is said to be a bird of passage coming here in spring to breed its young, and remaining during the summer; when in winter, it goes away into a southern and warmer clime, either into the deserts of Arabia, or to some region still more remote. It is called, by the people, “*Hadjee Lug lug* ;” the former, from its making a yearly pilgrimage and building chiefly on mosques, and the latter, from the sound its broad and heavy wings make when flying. I have seen the bird itself only at a distance, and from thence, judged it to be a very large kind of stork; not, however, so large as the immense bird called the *Ad-jutant*, which makes similar periodical visits to the banks of the *Ganges*, and the lakes of *Bengal*.

The baths of Orfah, of which there are four or five, are large, and some are reported to be extremely good. The one into which I went, being the nearest to our khan, was spacious, but dirty and badly attended. It is true, that it was in the afternoon, when many of the male attendants were gone; as it is the custom in all the large towns for the baths to be open from daybreak until *El Assr* for the men, and from that time till sunset for the women. On our leaving it, the female attendants were already assembling in the outer room, preparing the beds and cushions; and at the porch without, were a large party of ladies chattering aloud,

and expressing their impatience for our removal, that they might be admitted.

The manufactories of the town are confined chiefly to articles of the first necessity, among which cotton and woollen cloths have the pre-eminence in extent of consumption. The first of these are about the quality of coarse English dowlas, and are used in their original state for the shirts and drawers of men, for the inner garments of women, and for many domestic purposes. When printed, they are convertible to more various uses, as they are then made into gowns, or outer robes, for females, shawls for the head, and coverings for beds and sofas: and by being printed of a peculiar pattern, they are used for the fronts of the large cushions that surround a Turkish divan.

The process of printing their cottons is very slow and tedious, and renders the cloth in that state nearly double the price that it bears when white. A number of men and boys were arranged along one of the upper galleries of the Goomrook Khan, seated on the ground, and having before them low tables, perhaps a foot in height. Beside each person is a kettle, containing the ink, or dye, of the colour required. On his left hand was bound a block of wood of the size and shape of a clothes-brush, and the under face of this was covered with the pattern to be stamped, like the printing blocks of the Chinese. This being dipped in the ink, was placed on the cloth, the left hand closed into a fist resting above it, and by a blow on it with the fist of the right hand, the impression was made. As this was repeated for every colour, and every new form, and not more than from four to six square inches were printed at a blow, the patterns were, of course, imperfectly executed, and the whole process very slowly performed.

While examining this manufactory, I represented myself as a Muggrehin, or Barbary merchant, who had been in Europe, and described to them, as well as I could, the improved methods used among us for all these operations. Their admiration was very powerfully excited, and the director of the establishment made me an offer of a very handsome remuneration, if I would remain a few weeks at Orfah, to superintend such improvements as the mechanics of the town might make, under my direction. I would have gladly accepted it, had I been free from other engagements; as there is no way, perhaps, in which men can be more usefully employed, than in advancing the domestic arts, in improving the labours, and in increasing the comforts of their fellow-creatures, of whatever country, climate, or religion they may be. Missionaries dispersed into different quarters of the globe for this purpose, would do more in a few years towards civilizing and uniting the discordant parts of it, than all the merely religious Societies have done since their first establishment.

The woollen cloths made here are of a still coarser kind than the

cotton, and about equal to that used in England for sailors' winter jackets. It is mostly brown, from the original colour of the wool, though sometimes it is dyed with indigo. It is used only for the commonest purposes.

A few carpets are made, of a very good quality; some hair-cloth, for sacks and bags; and silk bands and tapes, of an excellent kind. Every description of saddlery and smith's work is well executed; and the labours of the mason and the carpenter are equal to those of the largest Turkish cities.

The cook-shops and coffee-houses are abundant, in proportion to the size of the town. In the former are prepared mutton, and sausages without skins, called *kabaub*; these last are formed of meat cut into small pieces, which are first strung on a thread, and then wound round an iron skewer, and roasted at the fire. Another kind of food, having a round ball of paste without, and mixed ingredients within, is called *koobbé*; besides which, are other little *patés* of minced meat. These are to be had at every moment; and at half an hour's notice, a meal may be prepared, of any dishes one might desire, and either eaten in the cook-shop, or at a coffee-house, a *khan*, or a private dwelling.

Among other vegetables abounding here, is a fine large lettuce, of which people eat at all hours of the day, without salt, or any other accompaniment; and leeks, or onions, in their raw state, are generally served up with meat.

In the coffee-houses, *nargeels*, an instrument for smoking through water, may be had, though the long Turkish pipe is more in use; this last is always furnished by the smoker, which the *nargeel* is not, perhaps from the ease of carrying the former, and the inconvenience of bearing about the latter, from place to place. During all the summer, there is also an abundant supply of solid ice, brought down from the summits of *Taurus*, in a journey of a day and a night. About an English pound of this is sold at present for a para, or a farthing, and is a cheap and healthy refreshment, accessible to the poorest of the people. Iced milks, and sherbets of honey, cinnamon water, and perfumes, are also made for the rich, and furnish a great luxury during the heat of the day. I sought diligently in the ice-shops for some fragment of stone, which might have been brought down with the snow, for the sake of ascertaining of what material the range of *Taurus* was composed, but could obtain only some very small pieces, which were all of lime.

The fruits of *Orfah* are chiefly the white mulberry, the quince, the apricot, the fig, the pistachio nut, the grape, and the pomegranate; the three first of these were now in perfection, and the latter were just beginning to form. There are neither lemons, oranges, nor melons to be seen.

In the streets are often trees, beneath the shade of which the inhabitants repose—to take fruit or ice, or a pipe and coffee. Here they sing to the stream that runs by, accompanied sometimes by a Turkish guitar; or play at chess or some other game, and pass away their hours in great apparent happiness.

The population of Orfah may be estimated at fifty thousand inhabitants, among whom are about two thousand Christians and five hundred Jews; the rest being all Mohammedans.

The Christians are chiefly Armenians and Syrians, each of whom have a separate church, and live in a separate quarter, and are so distinct, that, besides their different rites, their language, and the very character in which it is written, are totally unlike each other. The Armenian and Syrian tongues are confined, however, to their domestic circles and their religious duties; and in their intercourse with strangers, Turkish is the language chiefly used by the former, and Arabic the tongue spoken by the latter. Both the Christians and the Jews are merchants and traders; the one moving more frequently from place to place with caravans, and the other remaining stationary in the bazars. I could not learn with certainty whether the Jews have a synagogue here or not; but should think, from their number, that they possessed some place of worship apart from their dwellings.

The tradition of the Image of Edessa, and the story of Abgarus, seem to be almost forgotten, both by the Christians and Jews; though the well, in which was placed the letter of Abgarus addressed to Christ, is still pointed out.

Among the Moslems, the men dress more like the people of Damascus than of any other town; the large overhanging tarboosh is universally worn, and the shawls are generally large, of bright and lively colours, and fringed and tasselled at the edges and corners. The “coat of many colours,” with the reversed pyramid on its back and shoulders, is also worn here, and the whole of the dress is of corresponding gaiety. The only marked peculiarity which I noticed was that the sleeves of the shirt, which in other places are usually cut round even at the wrist, had here one side cut away to a point, reaching long enough to touch the ground. While walking, or using the arms in any way, these points are brought to meet and are tied together behind the neck, by which means they keep up the loose outer sleeve over the arm. When sitting on the divan, however, they are loosened, and are then often used as a towel, or a handkerchief, to wipe the mouth and hand; though it is still the fashion here, as elsewhere, to carry an embroidered towel for that purpose, hanging from the sash, or girdle, behind. The women dress with white outer robes, and are veiled by a black stiff gauze, which projects several inches from the face,

and gives them more liberty of air and sight than is enjoyed by those who wear the Constantinopolitan costume.

All classes of people resident at Orfah are extremely subject to eruptions in the face, like those which are common at Aleppo, but in a much more extensive degree. Among the inhabitants of this place, I did not see one in five exempt from it ; while at Aleppo, not more than half the population, perhaps, have been affected by it. Here, too, the marks left by the eruptions were more numerous and deforming, sometimes covering the whole face, often preventing the growth of the beard, in particular spots, and otherwise detracting much from the beauty of the people, who are, in all other respects, a well-made and handsome race. At Aleppo, this eruption, or the worm which occasions it, is thought to be engendered by the water, and here it is conceived to be done by the air ; both, probably, vague means of accounting for what is but imperfectly examined into, or known. At Orfah, other causes may contribute to it—such as the quantity of ice consumed by all classes, from the lowest to the highest ; the abundance of raw lettuces eaten at all times and seasons, without bread, salt, or other ingredient ; the equal abuse of mulberries, eaten often in an unripe state ; and the quality of the water of the lake of Abraham, filled as it is by so many thousands of fish, which must render it less wholesome : but which of these causes may contribute most to the evil, it is not easy to pronounce.

The government of Orfah is under the Pasha of Diarbekr, who pays an occasional visit to it, with his troops, and in his absence, deposes a Motesellem, or Governor, with a few personal guards. As at Aleppo, the great mass of the people are Janissaries and Shereefs, who predominate alternately, but who were, at this moment, both in tranquil subjection to the reigning governor—a man personally respected, and feared by all.

The language of Orfah is mostly Turkish. In the bazars scarcely any other tongue is understood ; but Hebrew, Armenian, Syriac, Koordish, Arabic, and Persian, are all spoken by their respective classes of people. The native inhabitants, as far as I had an opportunity of seeing their manners, in their familiar intercourse among themselves, are well bred, complimentary, yet perfectly at ease in the exercise of their politeness, and tolerant to strangers and men of different faiths.

The Castle of Orfah is seated on the summit of a long narrow hill of rock, on the south-west of the town, near the Birket Ibrahim el Khaleel and the Ain el Zilkah. The ascent to it on the north-east, is by a very steep and winding path, scarped in some places into steps, in the side of the rock. The entrance is by an arched gateway, and a paved passage, but the whole of the interior presents only a scene of confused ruins.

The enclosed part of this hill is nearly a quarter of a mile long, though not more than one hundred yards broad. It is defended on the south and west by a ditch, in many parts full fifty feet deep, and about twenty wide, hewn down out of the solid rock, and presenting a work of great labour. On the other quarters, it is secure by the steepness of its ascent. The wall, which rises in some places from the side of the rock below, so as to form a casing to it, has every appearance of being Saracenic, from the style of masonry and square towers. The rustic work is seen in some parts of it, but of that inferior kind which might have been executed in any age, except the present very degenerate one, as to architecture, among the Turks.

The interior, which is now occupied by a few poor families only, presents a scene of the most complete desolation. There are two fine Corinthian columns with their capitals still erect, and these are seen at a great distance from every point of view. The people here, called them the pillars of the gate of Nimrod's Palace, for which one may easily forgive them. They are evidently, however, the portion of some considerable Roman edifice, but whether of a temple, or of some other building, there are not now sufficient remains left to decide. These columns are without pedestals, are executed in good taste, and of a proportion in height that pleases the eye, though they are upwards of six feet in diameter. A defect in their construction is, that their shafts are composed of many pieces, each perhaps thirty in number, like so many millstones heaped one on another; and from each of these, are left little projecting knobs of the stone, as in the Ionic cincts and the Corinthian colonnade at Jerash. The proportions, however, being chaste, the size large, the shafts standing without pedestals, and the capitals of good workmanship, there are, upon the whole, stronger marks of pure taste, than there are peculiarities of a defective nature to be seen in them. They stand from twenty to thirty feet distant from each other, and had probably a column or columnus between them, belonging to a portico of which they formed a part. Behind them, some of the masonry of the lower part of the edifice to which they belonged is seen; this is smooth and good, and is of the kind generally used in temples, rather than that found in buildings of state or palaces.

Not far from this, I noticed a portion of a ruined building, with many small square and large circular windows in its walls, which, in the general style of its construction, resembled many of the ruined Christian churches in the Haurān, and was very probably itself an edifice of that kind, but of a still later age.

All the rest of the ruins are Mohammedan, the most perfect, among them being a mosque, with its oratory, and niche of prayer in the southern wall, and its windows looking out on the deep excavated ditch which surrounds the castle.

On the north-east, this fortress completely commanded the town; and before the use of artillery was known, might be considered to be impregnable. At present, however, even if in its original state of repair, it would be of no defensive strength, as it is itself commanded by a higher hill on the south and south-west.

In the cliffs and sloping sides of this hill are either the ancient burying-places of the people of "Ur of the Chaldees," from among whom Abraham was called, or the Necropolis of the Romans, when this was one of the settlements of their widely extended empire. Those having their fronts in the perpendicular cliff, are mostly entered by oblong square door-ways, as the sepulchres of Thebes, at Gournou on the Nile; but some few of them are arched, and one particularly has a large central arch, with two smaller side ones, like the usual form of Roman gateways. Those in the side of the hill below, are descended to by sloping passages, like the tombs at Oom Kais or Gamala, in the Decapolis; and others at Tartoose and Latikcea, on the Syrian coast. The whole of these grottoes may amount to two hundred in number, besides those noted to the west of the town, on the morning of our entering it.

The existence of the Roman ruins within, and of the tombs without, furnish great reason to believe that the site of the castle itself was of Roman choice, unless it be carried back to the Chaldean age. The ditch, to the south, excavated to the depth of fifty feet out of the solid rock, is a work worthy of either, and one which, however ancient, would be likely to undergo very little alteration on a change of masters. With the castle itself, it would not be so. The original rock on which it was first founded still remains, but except the columns and masonry within its inclosure, as already described—and, perhaps, some few fragments of work near the bottom of the wall, which may be Roman—the whole of the present structure is decidedly Mohammedan. Here, as in other instances, the original work seems to have been almost entirely destroyed before the place was completely conquered; but the same advantageous site was again built on to secure the position thus gained.

The view of the city from the walls of the castle, spread out, as it were, at the observer's feet, is extensively commanding, and exceedingly beautiful. The minarets of the mosques, the tall cypresses, the domes, the courts of the khans, all have an air of grandeur from hence, which they do not possess on a nearer view; while the lake of Ain el Zilkah, the fountain of Callirrhoe, and the canal of Abraham, seen amid the bowers that surround them, close to the foot of the rock, with the Corinthian columns and ruined walls and arches above, add to the general beauty of the scene, a number of objects, all equally classic and picturesque. The town looks, from hence, to be larger than Aleppo can be made to appear

from any one point of view; and is, I should conceive, in truth, nearly two-thirds of its size. In general character, it bears a nearer resemblance to Damascus, as seen from the heights of Salheah, than to any other eastern town that I remember; like it, the site appears from hence to be nearly a level plain, with slight elevations and depressions, and, on the south-east, it has a long range of trees and gardens, extending for nearly two miles in length, with but little wood in any other direction.

To the south-south-east from the castle, is a road leading across a plain, uninterrupted but by a few mounds of earth, until it terminates in the barren desert, where the horizon is as level as that of the open sea. It is in this direction that Haran, the ancient residence of Abraham and Laban with their families, is pointed out, at a distance of only eight hours from this place, the Ur of the Chaldees, from whence the Patriarch is represented to have journeyed thither.* The site is still preserved by a town of the same name, but from its being in the possession of Arabs, similar to those of Palmyra, it is difficult to visit it except in the company of some people of the place. A ruined town and wall are spoken of, with the remains of an old castle; but these are said, by those who have been there, to be much smaller than those at Orfah, nor are there columns or arches of any kind, according to the same report.

This Haran of the earlier Scriptures,† is called Charan in the later ones‡ and afterwards, Charræ, Carræ and Carras, by the Romans.§ In the first, it is celebrated as the scene of the interesting histories of Isaac and Rebekah's interview at the well, and of Jacob's serving for Leah and Rachel; events, which are as characteristic of the manners of the Bedouin Arabs of the present day, as they were of the people of that early age. Among the last, it is chiefly celebrated as the scene of the defeat and death of Marcus Licinius Crassus, who formed the first triumvirate with Pompey and Caesar. After crossing the Euphrates in his march against the Parthians, he was met in the plain of Carræ by the Parthian general Surena, by whom the Roman army was defeated, with the loss of 20,000 killed, 10,000 taken prisoners, and the death of Crassus their leader.||

This city must have been in a state of ruin at a very early period, as when the Rabbi Benjamin travelled through Mesopo-

* The Theodosian Tables place Charræ at a distance of twenty-six miles from Edessa, which is just eight hours' journey on foot.

† And they went forth from Ur of the Chaldees, to go into the land of Canaan, and they came unto Haran, and dwelt there."—Genesis, c. xi. v. 31.

‡ The God of glory appeared unto our father Abraham when he was in Mesopotamia, before he dwelt in Charan.—Acts, vii. 2.

§ Cellarius Geog. Antiq. lib. iii. c. 14. Mesopotamia. Genesis, c. xxiv. and c. xxix. and Joseph. Ant. Jud. l. i. c. 16—19.

|| Plutarch's Lives, l. iii. c. 11. Lucan, l. i. v. 105. Pliny, l. v. c. 14.

tamia, it seemed to be quite desolate.* There did not then remain a single edifice standing in the place where Abraham, our father, (says the pious Jew,) had his dwelling. The Ismaelites, or Bedouins, however, came there often to pray, as they do now to shelter their flocks.†

THE QUESTIONS OF LOVE.

I.

WHERE lies your peerless beauty, love;
In your dark half-slumbering eye?
Or, when soft your sweet lips move,
Breathes it in your balmy sigh?
Tell me, do you know your power;
Do you guess what keeps me here,
Dwelling, as on Spring's first flower,
Dwells the wild dove lingering near?

II.

Mark you aught upon my cheek
Trickling, as I read your soul;
Thinking words I dare not speak—
Feeling—what I scarce control?
May I, love, unveil my heart;
Will you soften at the sight;
Will you bid me, cold, depart,
If I seek your bower to-night?

III.

Shall I view yon evening star,
As Hope's harbinger, my love?
Shall it light me from afar,
The bliss your smiles impart to prove?
Shall the whispering breezes hear
Our meeting footsteps in the dew?
Will thou bid them heaven-ward bear
The vows Love makes, when Love is new?

BION.

* The following is a singular account given of the sort of masonry observed in constructing the buildings of Carrhæ, or Haran, which, if correct, might account for their early and total decay:—"At Carrhæ, a city of Arabia, all the walls thereof, as also the houses of the inhabitants, are reared and built of salt stones, and the same are laid of mason's work, and the joints closed and soldered by no other mortar than plain water."—*Pliny, Nat. Hist.* b. xxxi, c. 7.

† Voyage de Benjamin de Tudele—Bergeron's Collection.

THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL
IN ENGLAND AND IN INDIA.

Practical View of the Law of Libel in England.

No. IX.

IN 1770, occurred the important trials of Almon, Miller, and Woodfall, for publishing the Letter of Junius to the King. In the case of Almon, Lord Mansfield said: "As to the terms 'malicious,' 'seditious,' and a great many other words that are drawn in these informations, they are all inferences of law arising out of the fact *in case it be* (in the opinion of the court) *illegal*. If it is in their opinion a *legal* writing, and a man has published, notwithstanding these epithets, (and a verdict against him,) he is not guilty at all." Mr. Almon was found GUILTY. In the case of Miller, he said: "But you (the jury) do not by that verdict give an opinion, or establish whether it is or not lawful to print or publish a paper of the tenor and meaning in the information; for, supposing the defendant is found guilty, and the paper is such a paper, &c. If you take upon you to determine the law, you must, for the sake of your own consciences, be sure to determine according to law, and you must be sure that the law is such that a paper may be printed and published of the tenor you find it: the consequence of which is very obvious to be seen upon this occasion. If the law was to be determined in every particular cause, *what a miserable condition would this country be in with regard to that part of it; as it is said 'there cannot be a greater curse than uncertainty in the law;'* for one jury in *Middlesex* find one way, and a jury in *London* another way."

After more than *seven* hours' deliberation, the jury pronounced a verdict, NOT GUILTY, in contradiction to the charge they had received.

To the same purpose, Lord Mansfield said, in the case of the Dean of St. Asaph: "The licentiousness of the press is Pandora's box, the source of every evil. *Miserable is the condition of individuals, dangerous is the condition of the state, if there is no certain law, or, which is the same thing, no certain administration of law, to protect individuals, or to guard the state.*"

To this MISERABLE and DANGEROUS condition were we reduced by Mr. Fox's libel act. It is true, that different juries might come to different conclusions respecting the *same* publication, some finding it libellous, and others innocent. But it is

not better that *some* juries, whether from fixed principles of toleration, or from approbation of the sentiments of the defendant, should vindicate the liberty of the press, than that there should be *no* refuge for unpalatable truth, but the *certainly* of punishment for every man who “rendered the abilities ridiculous,” or “wounded the feelings” of imbecile, corrupt, or oppressive ministers and public officers? Nor, is it true, that “there cannot be a greater curse than uncertainty in the law and its administration.” Injustice in the provisions of a law is a greater curse, and legal restrictions on intellectual communication incompatible with the enjoyment of practical freedom and good government. “Where the principle of a law is fundamentally wrong, the more perfect the law is made, the worse it becomes. It cannot be said to have the properties of genuine law, even in its imperfections and defects. The true weakness and opprobrium of our best general constitutions is, that they cannot provide beneficially for every case, and thus fill adequately to their intentions the circle of universal justice. But where the principle is faulty, the erroneous part of the law is the beneficial, and justice only finds refuge in those holes and corners which had escaped the sagacity and inquisition of the legislators.”*

In the case of Woodfall, the jury resorted to an absurd compromise with dicta in which their reason could not acquiesce, and found a verdict of “*guilty* of printing and publishing only.” On this, cross motions were made, one in arrest of judgment, another to establish the verdict. Lord Mansfield said:†

“Though the court will not yet determine whether the affidavit of any of the jury may be read in this cause, yet I have permitted one to be read a little by way of stating it;‡ and I

* Burke's Works, vol. ix. p. 347.

† State Trials, vol. xx. p. 911, 913.

‡ This was the affidavit of William Sibley, baker. *London Mus.* Upon this passage of Lord Mansfield's judgment, the author of ‘Another Letter to Mr. Almon,’ pp. 84 *et seq.* is very severe; and in another place (p. 67) he thus writes concerning the affidavits of the jurymen:

“The permission to a jury to rectify or alter their own finding, or to declare against it by affidavit, after they have once been at large and mixed with the world, would be of the most dangerous consequence; it has rarely been asked, and ought never to be granted: the idea is novel, and contrary to the fundamental principles both of law and policy. And a late transaction forces me to add farther that application to jurors, after being discharged, to hear privately and *ex parte* other evidence, and to make affidavits in consequence thereof, either to alter the whole or any part of their verdict, or to explain it or to add to it, or to express a sorrow for having given it, is infamous, and the greatest inlet to iniquity, corruption, perjury and injustice, that can be devised; and therefore those who make such applications, when discovered, should be prosecuted at the public expense, fined and branded for ever. Every practice of this sort tends to lessen the force and effect of the public judicature of the country, and counteracts the guards with

there find, that the application of the inuendoes is not denied; only the criminal construction put upon the paper in the information. To have denied the one would have been very material; with the other they have nothing to do. In that case, there would be no proof to them of the paper, as charged in the information. But if the jury find, that the defendant published at all, they find the paper, as charged in the information, for that is their only inquiry. I take it from the affidavit, which has been stated, that it does not appear whether the jury meant to say, that the paper is no libel; if they had the least doubt whether the inuendoes were properly supplied, there should be a new trial. I did not leave it to the jury, whether the paper was innocent or not. I never do. I summed up to them, as I always have done in similar cases, that, if they were not satisfied of the fact of publication, or had a doubt of the application of any of the words in the information to the blanks in the letter, they must acquit the defendant. But I told them also, that whether the paper was criminal or innocent, was to them a subject of indifference; because, if innocent, judgment would be arrested in this court. Here the jury did not mean to find the malice of the defendant, because it was not within their inquiry; nor did they mean to exclude

which the law, for wise reasons, has beset juries, by having them shut up immediately after being sworn, and no person whatever admitted to speak to them, lest some popular talk or external influence, some clandestine bias or partial representation, or luteaty should take place. Whenever any thing of the kind has in fact happened, for want of the bailiffs and parties' constant observation, it has, if made appear, been deemed to contaminate their verdict, so as to set it aside. All the jurors swearing that nothing had passed relative to the cause would not uphold it. Those who set about a private examination, especially of one side, after a public trial had, in order to stagger a jury, and to render them dissatisfied with their verdict, act in the grossest defiance of the law, and with the most audacious contempt of the Court they intend to affect or influence by it. It is embracery and tampering with jurors in order to defeat their own verdict. Even if, after the jury be sworn and gone from the bar, they send for a witness to repeat his evidence that he gave openly in court, who does it accordingly, and this appear by examination in court, and indorsed upon the record, or postea, it will avoid the verdict."

See, as to affidavits of jurymen, *State Trials*, vol. xix. pp. 669, 675, 684 *et seq.*

In the case of *Edmund Thirkell*, Trin. 5 Geo. 3, where the defendant had been convicted of a misdemeanor, and afterwards eight of the jury signed a paper in his favour, intimating their disapprobation of the verdict which they themselves had given, Lord Mansfield, and Wilmot, Just. concurred in expressing great dislike of such representations made by jurymen after the time of delivering their verdicts. Lord Mansfield said, "It might be of very bad consequence to listen to such subsequent representations, contrary to what they had before found upon their oaths, and which might be obtained by improper applications subsequently made to them." And Mr. Just. Wilmot thought they ought to be totally disregarded. 3 Burr. 1696.

For more concerning jurymen's affidavits, see the cases cited in the Note to *Hale v. Cove*, 1 Strange, 642. Mr. Nolan's edition.

it, because it was not within their power to exclude a legal deduction.*

And in giving the final judgment of the Court, November 20, 1770, he said: "The direction he gave to the jury *has never been complained of in Court*;" and "we all again declare our opinion that the direction is right according to law." "Taking then the law to be according to this direction, the question is, whether any meaning can be put upon the word 'only,' as it stands upon the record, which will affect the verdict; † if they meant to say they did not find it a libel, or did not find the epithets, or did not find any express malicious intent, it would not affect the verdict; because none of these things were to be proved or found either way. If, by 'only,' they meant to say that they did not find the meaning put upon the paper by the information, they should have acquitted him. If they had expressed this to be their meaning, the verdict would have been inconsistent and repugnant; for they ought not to find the defendant guilty, unless they find the meaning put upon the paper by the information; ‡ and judgment of acquittal ought to have been entered up. If they had expressed their meaning in any of the other ways, the verdict would not have been affected, and judgment ought to be entered up on it. It is impossible to say with certainty what the jury really did mean; probably they had different meanings. If they could possibly mean that which is expressed would acquit the defendant, he ought not to be concluded by this verdict. It is possible some of them might mean, not to find the whole sense and explanation put upon the paper by the innuendoes in the information. If a doubt arises from an ambiguous and unusual word in the verdict, the Court ought to lean in favour of a *Venire de Novo*. We are under the less difficulty, because, in favour of a defendant, though the verdict be full, the Court may grant a new trial. And we are all of opinion, upon the whole of the case, that there should be a *Venire de Novo*." §

Upon this judgment, which Lord Mansfield read in the House of Lords, December 10, 1770, Lord Camden next day proposed to him *six questions*, which he refused to answer. "He would not answer interrogatories."

* "Such kind of reasoning in an answer wou'd, as my Lord Mansfield knows, be called, in the Court of Chancery, fencing with the question. It is answering with a reference to another thing on the truth and falsehood of which its own must respectively depend, and therefore is deemed no answer at all." Another Letter to Mr. Johnson, p. 63.

† Would it not make it a verdict of acquittal?

‡ Qu. if the jury, as plain men, did not, by the words, 'guilty' of publishing, only mean to say that the defendant published the paper?

§ State Trials, vol. xx. p. 920.

In 1777, John Horne was tried on an information filed by Mr. Attorney-General (Thurlow) for a libel published *two years* before; ("the main efficacy of the information *ex officio* consisting in the speedy application of the law to any public misdemeanors;"*) and being short, it may be transcribed here, just as it was written "with force and aims at London, in the parish of St. Mary-le-bon, in the ward of Cheap," viz.

"King's Arms Tavern, Cornhill, June 7, 1775. At a special meeting this day of several members of the Constitutional Society, during an adjournment, a gentleman proposed, that a subscription should be immediately entered into, for raising the sum of 100*l.* to be applied to the relief of the widows, orphans, and aged parents of our beloved American fellow-subjects, who, faithful to the character of Englishmen, preferring death to slavery, were, for that reason only, inhumanly murdered by the King's troops, at or near Concord and Lexington, in the province of Massachusetts, on the 19th of last April; which sum being immediately collected, it was thereupon resolved that Mr. Horne do pay to-morrow into the hands of Messrs. Browne and Collison, on the account of Dr. Franklin, the said sum of 100*l.*, and that Dr. Franklin be requested to apply the same to the above-mentioned purpose." (Signed) JOHN HORNE," (meaning *himself* the said John Horne"!)

ATTORNEY-GENERAL—"If the fact should be proved, if it should stand as clear as to my judgment and apprehension it now stands, you will be constrained by the same necessity of duty, and, by the additional sanction of an oath, to entertain exactly the opinion of it which I have found myself constrained to entertain." That is, if in the judgment and apprehension of the jury it stood as clear that the libel was justly chargeable with all the epithets applied to it in the information, "false, wicked," &c., as it did in the opinion of the Attorney-General, who had filed the information, then the jury would entertain *exactly* the same opinion of it that the Attorney-General entertained!

MR. HORNE—"However, I have the pleasure to see that there sits a gentleman (Mr. Wilkes) by the Judge who is now trying me, who, as well as myself, has charged the King's troops with murder; a charge which at that time excited great abhorrence against him. The Judge and that gentleman have been laughing all the time of this trial; they have enjoyed each other's company exceedingly. (A great laugh for some minutes of the whole audience.) What! ~~two~~ *two* years and a quarter afterwards to prosecute for a *tendency*—not actual mischief, but a *tendency* to mischief! There sits near the Judge one of

* Holt's 'Law of Libel,' p. 265.

the most distinguished members of the House of Commons (Mr. Burke.) He is as liable to an information for a libel as I am at this minute. He (Lord Camden) enjoyed the office of Attorney-General. He, as I am informed, never prosecuted but *one* libeller, Dr. Shebbeare, who is now pensioned by those who made this gentleman Attorney-General.* If ever there was an infamous libel against Government, surely it was that (it is a great many years ago, but I read it.) Go to the papers that are published to-day, to those published before this charge was brought against me and since, and see if you do not constantly find in them this charge of murder against the King's troops. I took extracts from them till I was tired; and not only from the newspapers, but several other publications; from that honourable gentleman's publications, and others, which are of more consequence than fugitive pieces in a newspaper. I caused the soldiers in St. George's Fields to be prosecuted, the King's troops, for murder. I took them up. It was called no libel by the then Attorney-General; no libel against the Government. They were tried for murder. I did intend to have told you how they escaped; but it matters not. They were tried; they were charged with murder; and that not only in a court of justice; I advertised, I signed it with my name; the same printer (I forgot to ask him as an evidence, indeed I had before asked him for a newspaper that contained the advertisement, but he could not send me one,) he could have proved it; but it is notoriously known, I charged that murder upon the King's troops with my name. It was not thought a libel then. It was thought a very great affront; for those troops had been thanked in the King's name for their alacrity upon the occasion. Gentlemen, I have had the honour to be burnt in effigy, and I saw myself committed to the flames. I have been sung about the streets in ballads, and I saw a little pert person cocked up upon a stick in the singer's hands. My life has been written with my name at length, and the Atheist and Macaroni parson printed at the bottom of a print in the frontispiece."

LORD MANSFIELD.—(In his charge to the Jury.)—"And I told them (the Jury in a former case,) what I tell you, that it is not necessary to prove an actual intent, which is the private operation of a man's mind; but a jury were to *exercise their judgment from the nature of the act, as to the intent with which it is done*,† as if a man writes and publishes a seditious

* In like manner Sir Arthur Pigott only filed *one* information, of which his successor, Sir Vicary Gibbs, entered his *nolle prosequi*.—See 'Edinburgh Review,' p. iii. 12, No. 73. p. iii. 2.

† This is at variance with what his Lordship did say on former occasions. In the case of Woodfall, he prohibited the Jury from exercising their judgment at all on the nature of the act so as to collect the intent with which it was

libel, a libel that has a seditious tendency; that is a ground to a jury from whence to infer, (when it is without any justification, without any excuse,) that is a ground from whence to infer a seditious intent."

ATTORNEY-GENERAL.—(On moving for judgment).—"It is such a one that I believe it will be totally impossible for the imagination of any man, however shrewd, to state a libel more scandalous and base in the fact imputed, more malignant and hostile to the country in which the libeller was born, more dangerous in the example, if it were suffered to pass unpunished, than this which I have now stated to your Lordship. That lying so near to high treason, it was very difficult for my imagination and judgment to draw the line between them. That must be my apology if I have mistaken the nature and quality of this crime: citing him, (Lord Holt,) therefore, in support of this, (*the pillory*,) as a proper punishment to be inflicted upon this sort of offence, is giving, in my apprehension, the greatest authority for it. GOVERNMENT CANNOT EXIST, UNLESS WHEN OFFENCES OF THIS MAGNITUDE, AND OF THIS COMPLEXION, ARE PRESENTED TO A COURT OF JUSTICE, THE FULL PUNISHMENT IS INFLICTED WHICH THE MOST APPROVED TIMES HAVE GIVEN TO OFFENCES OF MUCH LESS DENOMINATION THAN THESE—OF MUCH LESS. I am sure that it cannot be shown that in any one of the cases that were punished in that manner, the aggravations of any one of those offences were in any degree adequate to those which are presented to your Lordship now. If offences were so punished then, (*i. e.* by the *pillory*,) which are not so punished now, they lose that expiation which the wisdom of those ages thought proper to hold out to the public as a restraint from such offences being committed again. If I had not had it in my contemplation, also, that it would meet with an adequate restraint, which I never thought would be done, *without affixing to it the judgment of the pillory*."

Notwithstanding this savage importunity to inflict an ignominious punishment on Mr. Horne, he was, with comparative lenity, sentenced to pay a fine of 200*l.*, to be imprisoned one year, and to give securities for his good behaviour for three years.

In 1783, the important and interesting case of the Dean of St. Asaph began. Dr. Shipley, Dean of St Asaph, brother-in-law of Sir William Jones, had printed Sir William's 'Dialogue between a Gentleman and a Farmer.' As the Attorney-General overlooked this piece of inchoate treason, a *private*

done. He excluded "intent" altogether from their consideration. He restricted their attention to the fact of publication, and to the correct application of the innuendoes.

individual resolved to protect the state by subjecting the publisher to the penalties of the law; well aware that if a grand jury would find a true bill, (which, if the criminal quality of the paper was an inference of law not within their competence to ascertain, they could have no hesitation in doing), the petty jury must find the fact of publication, and the court would still more certainly find the epithets "wicked," "seditious," &c., borne out by the inferences which *the law* would draw from the matter of the Dialogue. Accordingly, an indictment was preferred in the name of William Jones, who was in this instance the tool of a gentleman of fortune, one Fitzmaurice.

The case came on at the Great Sessions, held at Wrexham, for the county of Denbigh, in September 1783, before the Lord Chief Justice of Chester (Kenyon.) A motion was made to put off the trial, on account of the circulation of a pamphlet on the rights of juries in cases of libel. It consisted merely of extracts from the lives of John Lilburne and Judge Jeffries, in Dr. Tower's 'British Biography,' and therefore contained nothing *particularly* relating to the case before the Court. Nevertheless, so much sound doctrine on the rights of juries was considered to have *poisoned* the minds of the jury, and the trial was postponed.

LORD CHIEF-JUSTICE KENYON.—"Upon that, I wish to say a word. If you (Mr. Erskine) come not down as counsel for the Dean of St. Asaph, but for the Constitutional Society, I shall not hear you."

MR. ERSKINE.—"Your Lordship is too quick. I have not said that I am not counsel for the Dean of St. Asaph."

LORD KENYON.—"I should little conform in such case to what the public expect from me; I will not suffer any impertinent interposition in causes in those who are no parties to the cause. I don't mean that of you, I am sure."

MR. ERSKINE.—"If your Lordship would hear me out, agreeably to the common practice of courts, perhaps we should better understand one another."

At one part of Mr. Erskine's speech, (against the motion for putting off the trial,) where he said, "They are afraid of the triumph that an honest man must derive from the integrity and justice of the jury," some of the audience applauded, and the Court fined a gentleman 20*l*.

LORD KENYON.—"It is very true, as has been stated by Mr. Erskine, that he (Sir William Jones) is gone in a judicial capacity into a country (India) where it would be very unwise to send a man in that character who has any thing seditious about him. *Whether it will be proper to review that appointment or not, is not for me to say; it is certainly a thing*

fit to be considered by those to whom it belongs to consider it."

The trial came on, August 6th, 1784, at the Assizes at Shrewsbury, before Mr. Justice Buller. Mr. Bearcroft, counsel for the prosecution, in the course of his speech said: "The advice to bear arms, as the only method to right themselves, is not only a libel, but one of the worst kind, for it approaches *closely* to the crime of high treason itself." The judge restricted the attention of the jury to the fact of publication; and upon that the jury found a verdict of guilty.

Mr. Erskine having obtained a rule to show cause why a new trial should not be granted, on the ground of a misdirection by Mr. Justice Buller, delivered (Nov. 15, 1784) his masterly and conclusive argument in support of the rights of Juries. It is not the least singular of the circumstances attending this debate, that the question which formed the subject of it had *never before* been argued and decided, though so many occasions for taking the same objection to the direction of the Judge had occurred. Another singularity is, that no less than eight years should have been allowed to elapse before Mr. Fox's declaratory Act was passed. But, though the main question has long been decided in the most satisfactory manner, the proceedings of that day can never cease to possess a high degree of interest, as showing the weight of argument and force of truth which the mind can resist, when the judgment is disturbed by the influence of feelings springing from the infirmities of human nature, and the tenacity with which men cling to power of every description, especially to that of indulging deep-rooted principles of intolerance. For this purpose, I extract the condensed summary which Starkie has given of the five distinct points urged by the Dean of St. Asaph's counsel, viz.:

1st, That in every criminal case, upon a plea of not guilty, the jury are charged generally with the defendant's deliverance from that crime, and not specially from any single fact. Upon this topic it was urged, that the rules of pleading in civil cases were framed for the purpose of preserving the jurisdiction of the court and jury distinct, by a separation of the law from the fact; but that in criminal cases no such boundary was ever attempted; that on the contrary, it had been the custom, from the time of the Norman conquest, for the defendant to throw himself upon his country for his deliverance, upon the general issue of not guilty, and to receive from the verdict of the jury, a complete, general and conclusive deliverance. In support of this doctrine, the opinions of Sir William Blackstone, Sir Matthew Hale, Sir Michael Foster, and Lord Raymond, were referred to, and thence assuming that the jury had a right to give a general verdict, it was contended, that to enable them to

do so, it was the duty of the judge to direct them upon the law; and that having omitted so to direct them, and having informed the jury that neither the illegality of the paper, nor the intention of the defendants were within their jurisdiction, the defendant had in fact been found guilty without any investigation of his guilt, and without any power left to the jury to take cognizance of his innocence.

2dly, That no act is in itself a crime, abstracted from the malicious intention of the actor; the establishment of the fact being nothing more than evidence of the crime, and not the crime itself, unless the jury render it so by referring it voluntarily to the court by special verdict. That, in every case, a general verdict, which is as comprehensive as the issue, unavoidably involves a question of law as well as fact; and therefore a judge who means to direct a jury to find generally against a defendant, must leave every thing to their consideration which goes to the constitution of that general verdict, and to direct them how to form that general conclusion of guilty, which is compounded of both law and fact. That the verdict must be taken to be either general or special; if general, it had been found without a co-extensive examination; if special, the term guilty could have no place in it; that the term guilty was either operative and essential or a mere epithet of form; if essential, then a conclusion of criminal intention had been obtained from the jury without permitting them to exercise their judgment on the defendant's evidence: if formal, no judgment could be founded on it.

3dly, That the circumstance of the libel's appearing upon the record did not distinguish it from other criminal cases. For first, the whole charge does not always appear upon the record, since a part of a publication may be indicted, and may, when separated from the context, bear a criminal construction; and since the court is circumscribed by what appears upon the record, the defendant could neither demur to the indictment, nor arrest the judgment after a verdict of guilty. That the defendant is equally shut out (by the doctrine insisted on) from deriving any aid from the context in his defence before a jury; for though he should read the explanatory context in evidence, he can derive no advantage from reading it, if the jury are bound to find him guilty of publishing the matter contained in the indictment, however its innocence may be established by a view of the whole work; that the only operation of the context is to show the matter upon record not to be libellous, from the consideration of which, as being matter of law for the consideration of the court, they are excluded. That to allow the jury to go into the context, in order to form a correct judgment of the part indicted, is a palpable admission of their right to judge

of the merits of the paper, and the intention of its author; and that it would be preposterous to say that the jury have a right to decide a paper, criminal as far as appears upon the record, to be legal when explained by the whole work, of which it is a part; but that they have no right to say, that the whole work, if it happen to be set out on the record, is innocent and legal. That it is equally absurd to contend that the intention of the publisher may be shown as a fact by the evidence of any extrinsic circumstances, such as the context; and in the same breath to say, that it is an inference of law, from the act of publication, which the jury cannot exclude. That the consequences of such a doctrine would be most dangerous; since, if a seditious intention could be inferred from publishing any paper charged to be a libel, a treasonable intention might with equal reason be inferred from publishing a paper charged to be an overt act of treason.

4thly, That a seditious libel contains no matter of law; for the court, in considering the question of libel, as it appears upon the record, are circumscribed in forming their judgment, and can derive no assistance from extrinsic circumstances; since, if they were to break through their legal fetters, their judgments would be founded in facts, not in evidence; but that such objections would vanish if the seditious tendency be considered as a question of fact, since the jury can examine by evidence all those circumstances which establish the seditious tendency of the paper, from which the court are shut out.

5thly, That in all cases where the mischievous intention, which is the essence of the crime, cannot be collected by simple inference from the fact charged, because the defendant goes into evidence to rebut such inference, the intention becomes a pure unmixed question of fact for the consideration of the jury. That "the publication * of that which is unlawful is but evidence of a criminal intent;" but that in the principal case evidence had been offered in favour of the defendant, though, by the learned judge's directions to the jury, the whole of it had been removed from their consideration. That in Lamb's † case it was laid down that every one who should be convicted of a libel must be the writer, contriver, or malicious publisher, knowing it to be a libel; that the knowledge there meant was not a mere knowledge of the contents, for that would make criminality depend upon the consciousness of an act, and not on the knowledge of its quality, which would involve lunatics and children in all the penalties of criminal law.

Lord MANSFIELD, in delivering the judgment of the Court,

* Lord Mansfield's doctrine, in the cases of Woodfall and Almon. 5 Burr. 2661. 2666.

† 9 Co. 5.

observed: "Four objections have been made; the first is peculiar to this case, namely, that evidence of a lawful excuse or justification was not left to the jury as a ground of acquittal. Upon every such defence there arise two questions—the one of law, the other of fact. Whether the fact alleged (supposing it true) be a lawful excuse, is a question of law: whether the allegation be true, is a question of fact; and according to this distinction, the judge ought to direct, and the jury ought to follow his direction; though, by means of a general verdict, they are entrusted with the power of confounding the law and fact, and of following the prejudices of their affections and passions." The learned judge then proceeded to comment upon the evidence offered by the defendant, which the Court considered as rather aggravating his conduct, than supplying a ground of defence to be left to the jury. His Lordship then observed, "The second objection is, that the judge did not give his own opinion whether the writing was a libel, or seditious, or criminal. The third, that the judge told the jury that they ought to leave the question upon the record to the court, if they had no doubt of the meaning (i. e. as far as regards the innuendoes) and publication. The answer to these objections is, that, by the constitution, the jury ought not to decide the question of law, whether such a writing of such a meaning, published without a lawful excuse, be criminal, and that they cannot decide it *against the defendant*, because, after a verdict, it remains open upon the record. That this is peculiar to the form of a prosecution for libel, that the question of law remain open for the court on the record, and that the jury cannot decide it against the defendant; so that a general verdict that the defendant is guilty, is equivalent to a special verdict in other cases. That no case had been cited of a special verdict in a prosecution for libel, leaving the question of law upon the record to the court. That a criminal intent, from doing a thing in itself criminal, without a lawful excuse, is an inference of law. That the practice objected to, had continued ever since the Revolution without opposition. That the fundamental definition of trials by jury depends upon an universal maxim without an exception. *Ad questionem facti respondent juratores; ad questionem juris respondent iudices*; that where the questions can, by the form of pleading, be separated, the distinction is preserved upon the face of the record; but that where by form of pleading, the two questions are blended together, and cannot be separated upon the face of the record, the distinction is preserved *by the honesty of the jury*." His Lordship concluded by giving the judgment of the Court, that the rule for a new trial should be discharged.*

* Mr. Erskine afterwards moved in arrest of judgment, and judgment was arrested, the Court considering the indictment to be defective.

Lord Kenyon adopted Lord Mansfield's doctrine in summing up to the jury in the case of the King, v. Withers.* As a matter of speculative curiosity, it is most singular that the determination of the four points of which the guilt of a libeller is compounded, should have afforded room for so complicated an argument, in so advanced a period of English jurisprudence. The case comprehends no more difficult elements than matters of construction and of intention, questions by no means peculiar to the case of libel, but forming ingredients in other criminal charges, though under different modifications.

The circumstance of this discussion is the more curious from the consideration that the contending parties agreed upon all the points which may be considered as essential to the theoretical and abstract justice of the case, and differed only as to *the means and process by which the ends of justice might be best accomplished*, it being on all parts admitted, "that a mischievous tendency in the thing published, and a criminal intent in the publisher, were necessary to the existence of the crime."

There are some other passages worth extracting from the Speeches on that occasion; for instance, the following ingenious and humorous illustration employed by Mr. Welsh, counsel for the Dean of St. Asaph: "As a proof of this (and a strong one, considering the nature of the trial) may be adduced the trial in a writ of right by battle. When the issue was joined upon the mere right, and the combatants were produced to decide the issue, the law as well as fact were in their hands; and we hear of no judge who felt such jealousy for the supposed duty of his office, as to interpose between the batons of the champions, *flagrante bello*, and claim part of the debate, as the share which peculiarly belonged to him to try his strength at, and to decide upon. If this seems extravagant and ridiculous, it is no fault of mine; the principle is the same when applied to this mode of trial and to others; and if the consequences in this instance display the absurdity of it more than in others, it only answers more happily the purpose of a just criterion. This was the usual method of trying a general issue in the early part of Henry the Second's reign, and the preceding times, up to the conquest; and extended to most other cases, besides a writ of right, whether criminal or civil."

* For the Protest entered against the passing of the Libel Bill, see 29 'New Parliamentary History,' 1537. See also Lord Kenyon's speech, 29 'New Parl. Hist.,' 1293. Nevertheless Lord Ellenborough said, on the trial of Cobbett, May 24, 1804: "I never doubted that an English jury had the right of judging in these cases, not only of the fact of publication, but also of the nature and construction of the thing published; and the noble person, whose place I so unworthily fill, [Lord Kenyon] was of the same opinion."

Also the following passages in the speech of Lord Mansfield: "Jealousy of leaving the law to the court as in other cases, so in the case of libels, is now, in the present state of things, puerile rant and declamation. The judges are totally independent of the ministers that may happen to be, and of the king himself. Their temptation is rather to the popularity of the day. But I agree with the observation cited by Mr. Cowper from Mr. Justice Foster, that 'a popular judge is an odious and a pernicious character.' In opposition to this, what is contended for? That the law shall be, in every particular cause, what any twelve men who shall happen to be the jury, shall be inclined to think, liable to no review, and subject to no control, under all the prejudices of the popular cry of the day, and under all the bias of interest in this town, where thousands more or less are concerned in the publication of newspapers, paragraphs, and pamphlets. Under such an administration of law, no man could tell, no counsel could advise, whether a paper was or was not punishable. *I am glad that I am not bound to subscribe to such an absurdity, such a solecism in politics.* Agreeable to the uniform judicial practice since the Revolution, warranted by the fundamental principles of the constitution of the trial by jury, and upon the reason and fitness of the thing, we are all of opinion that this motion should be rejected and this rule discharged."

SONNET.—TO MY TWIN BOYS.

By D. L. Richardson.

GAY morning Pilgrims! no dull cloud of care
 Shall cross your early path. Your eyes shall meet
 A charm in every scene; for all things greet
 The dawn of life with hues divinely fair!
 And brightly now your rosy features wear
 The trace of guiltless joy! Your bosoms beat
 With no foreboding dreams—your cup is sweet,—
 The manna of delight is melting there!
 Twin buds of life and love! my hope and pride!
 Fair priceless jewels of a father's heart!
 Stars of my home! Nor sin nor sorrow hide
 Your beauty yet;—your stainless years depart
 Like glittering streams that softly murmur by,
 Or white-winged birds that pierce the sunny sky!

WALKS IN GERMANY.

Baden—Valley of the Murg—Forbach—Freudenstadt—Mountains of the Black Forest—and Banks of the Rhine.

AMONG the many beautiful places in Germany to which invalids resort for the benefit of their mineral springs, and at which the fashionable part of the world assemble to escape from ennui, there is none more beautiful than Baden. It is seated on the sloping foot of a mountain which overlooks it, and extends itself into the hollow of the delicious valley and plain which terminates beneath it. On all sides the scenery is splendid. Behind the "Promenadhaus," a fine building, in which public entertainments are given, the acclivity of the hill is tastefully laid out in gardens, from the shady walks of which are occasional views of the lower part of the town in the valley; while the opposite mountain, covered with oaks and firs, gives a grand effect to the scene.

The town of Baden is very ancient; and its Hall of Antiquities contains several Roman monuments, found in the immediate neighbourhood. Its most attractive feature is, however, the hot mineral springs, for which it is chiefly visited. The heat of the principal of these, "Ursprung," is said to be 54° of Réaumur; and its quantity is so abundant, that it furnishes upwards of seven million cubic inches of water in 24 hours. Some Roman baths are supposed to have been erected on this spot, as remains of such buildings are still visible near it. A fashionable watering-place like this is not likely to be wanting in public amusements; but though Baden attracts much company in the water-drinking season, it is not so much on account either of its waters or its entertainments, as of the beautiful country which surrounds it on all sides, and the delightful excursions it affords, that it is visited by strangers.

One of the first objects which struck us on our approach to Baden, was the ancient castle, imposingly situated near the summit of the highest mountain in sight. It is supposed to have been built in the 10th or 11th century; and is perhaps one of the finest and most curious ruins in Germany. The subterraneous caverns are very singular; and are considered to be the work of the Romans. The tower of the castle affords an extensive and splendid view of the surrounding country, through which, at a distance of six or seven miles, the majestic Rhine may be seen to wind its course, adding a peculiar beauty to the scene. There are several views of this description in the neighbourhood of Baden, among which the finest is considered that from the mountain of Yberg, about two leagues distant. The ascent to this in summer is generally com-

menced at midnight, so as to obtain the view from its summit immediately before sunrise. In pursuing our route towards the river Murg, we found that, about two leagues from Baden, it swells into a torrent, and there discharges itself into the Rhine. This small river gives its name to a most romantic and beautiful valley, which commences at Gernsbach, about two leagues from Baden. The lover of the picturesque, who is fond of nature in her wildest variety of dress, may enjoy his wishes here in perfection.

Our road continued up the mountain for a distance of three or four miles, the country varying in its scenery at almost every step we took, and every where continuing to be beautiful. From the summit of our ascent we had nearly the same view as that seen from the castle, with the exception that Baden and the adjacent country lay between us and the Rhine; on the other side of which the horizon was bounded by the Vosges; whilst the nearer view of valleys of the most delicious verdure, with here and there a peep of villages bursting from the half concealing foliage of woods and vineyards, formed a striking contrast with the darker and grander hue of the forest firs which covered the mountain near us. The little town of Gernsbach, seen from hence, is situated on the banks of the Murg, which in summer would be considered a mere rivulet, but for the rocks and stones which choke up its bed and impede its course, so as to render it interrupted and impetuous. The valley of the Murg, which may be termed an immense ravine, is closed in by lofty mountains, covered with dark thick firs. The principal occupation of the inhabitants in the villages along its banks, is that of felling the wood on the mountains, and preparing it for the floats, on which, in the proper season, it is conveyed down the Murg to the Rhine, where the smaller floats are formed into rafts of an immense length, and are then transported farther on. These rafts are frequently joined in their progress by others, which come down the different tributary streams that feed the Rhine, till they reach the mouth of the Moselle, the general point of re-union, where they are again enlarged and united, by being formed into one stupendous mass of wood, on which the conductors and crew construct houses, and thus, in a town or colony afloat, navigate down the Rhine with sometimes 150 persons on one single raft.

We pursued our route from hence towards Forbach, a distance of three leagues. Near Gernsbach we passed a small chapel, called Kinglel, situated in a romantic spot, and remarkable as resembling the chapel of the Swiss hero, William Tell, near the Lake of Lucerne in Switzerland. A few hundred yards beyond this, we ascended a very steep mountain, on which is situated the castle of Neuberstein, rebuilt on the ruins of a more ancient one, and made accessible to travellers by a very fine carriage road as well as an excellent footpath. At present, strangers have free access to the castle and grounds, and it is much frequented on account of the

beauty of its situation and the extensive view it affords; for, towards the west, it commands the prospect of the whole country and valley of the Rhine, while the Vosges appear in the distance like a floating cloud on the horizon. On the north and east, the mountains of the Black Forest arise above each other, and produce a most imposing effect. The delightful valley of the Murg, the village of Gernsbach, and the gardens and vineyards of the castle grounds, form a welcome relief to the eye, almost wearied with the expanse of country before it.

As we proceeded towards Forbach, the country became more wild and uncultivated; but the beauty of the scenery, though of a different character, was still remarkable. The evening was serene and clear, and the rising moon shone brilliantly on the varied scenes across the river, whilst a chain of high mountains in the direction of her light, presented, by the dark lines of their wooded summits, a fine termination to the picture. Our road lay occasionally on the very banks of the river, and as we proceeded onward, we could see its waters foaming and struggling between the rocks that lay in heaps upon its bed; at other times the river was so low that the banks towered over it to the height of 300 feet above the level of the stream, till we ultimately lost sight of its course, and could only trace its progress from the roaring of the waters beneath us. The ascents over these high banks, which occurred very frequently, afforded the most splendid view of the country we had left behind us: From one of these spots the castle of Neubeinstein was clearly discernible in the distance, whilst the windings of the river, and the elevation of the rocks that tower above its banks, formed an infinite variety of objects, all equally pleasing and full of interest.

The entrance to Forbach is singularly picturesque. The inhabitants here begin to assume the Swiss costume, and resemble the people of Switzerland also in their simplicity and good will towards strangers. From Forbach there is a path across the mountains to Freudenstadt, but it is so difficult as to require a guide: we therefore chose the road along the banks of the Murg, which though longer, in point of distance, is admitted to be much more beautiful in its scenery. About three leagues from Forbach we crossed the torrent of Raumlünzach, which throws itself from a deep ravine into the Murg with a tremendous roar. A league from this place up the mountain, the waters of this torrent are retained by certain dams, in an immense mass; here the trees hewn from the surrounding mountains are collected; and when a sufficient number are ready for despatch, the whole mass of water thus forcibly retained is let out in one enormous sheet, which sweeps the wood floating in it down the river, and adds, by this one bursting of its barriers, at least 150,000 cubic feet of water in a moment to the quantity already collected in its stream.

From this place, the road to Freudenstadt, though not so pic-

turesque as the scenery about Forbach, is more open and varied; and is as interesting to the antiquary and mineralogist as to the general traveller. From Freudenstadt, we pursued our route across the Knieber, a very high mountain covered with wood; the road lies through the forest, and is marked by piles driven into the earth on each side, as in winter it is constantly covered with several feet of snow, sometimes indeed to such an extent as to be impassable. The distance from Freudenstadt to Oppenau, the nearest village across the mountain, is about sixteen miles. The summit of this elevation commands a magnificent prospect; we reached it just as the sun was setting, and the scene was really sublime. The mist began to cover the tops of the mountains which surrounded us on all sides, but were considerably below us; and the parting rays of the setting sun shone on the Rhone, which ran through a valley at the distance of several miles, and had the appearance of a straight and silvery line drawn through the country by the pencil of a creative artist dipped in liquid light.

The descent from this elevation is excessively steep, and winding round the mountain, forms a road of six or seven miles in length. By this road we reached Oppenau, seated in a wild and partially cultivated valley. There are several mineral springs within a league or two of this. Among these, the bath of Rippoltsau is advantageously situated; and Griesbach and Petersthal have also delightful environs, and other charms, which, like those of Baden, attract visitors from all parts of Europe, and bring together crowds of individuals attracted by the most opposite motives—some in search of health, others of amusement, some of pleasure, and others of profit in contributing to gratify the wants and wishes of the assembled strangers; but all in search of happiness, according to the peculiar class of possessions or enjoyments in which each considers that object of universal desire to be found.

SONNET.—THE CAFFER.

Written in South Africa.

Lo! where he crouches by the Kloof's dark side,
 Eying the farmer's lowing herds afar;
 Impatient watching till the evening star
 Lead forth the twilight dim, that he may glide
 Like panther to the prey: with free-born pride
 He scorns the herdsman—nor regards the scar
 Of recent wound—but burnishes for war
 His assagai and targe of buffalo-hide.
 He is a robber?—True; it is a strife
 Between the black-skin'd bandit and the white:
 A savage?—Yes; though loth to him at life,
 Evil for evil fierce he doth requite:
 A heathen?—Teach him then thy better creed,
 Christian!—if thou deserv'st that name indeed.

**ON THE TENDENCY OF THE HINDOO SYSTEM TO DISTRESS
AND IMPOVERISH THEM.***

THE tendency of every system of religion given from heaven is invariably to bless mankind. This spirit evidently runs through the whole of even the Mosaic system, although it is the Christian which most fully proclaims "peace on earth, and good will towards men." While the system given to the Jews, however, evidently bears marks of its being intended for a people who lived in the infancy of mankind, when, relative to civilization, laws, and general knowledge, the whole world, as well as the Hebrew nation, spoke and acted like children, still a vein of benevolence runs through the whole; while God is held forth in all his majesty, the duties required by him are defined, the commands given are clear and just, and all apprehension from inferior objects is both forbidden and removed by the precepts which enjoin the reverential fear of the Supreme Being.

Nor does their religious code contain any means through which an interested priesthood could enrich themselves by working upon the fears and hopes of the people. If a tenth of the produce of the land was given to one tribe, it should be remembered, that, from this tribe, by the same act of the Divine will, was previously taken and distributed among the other eleven tribes that part of the land of Canaan which they and their children after them would otherwise have inherited for ever. When, therefore, as the condition of receiving this tenth, they were obliged to give up a fair family patrimony in a land flowing with milk and honey, and with it all the enjoyments arising from the transmission to their children from age to age of an independent estate in the most fertile of all lands, there was surely little of personal emolument in the case; nor had the other tribes any great reason to murmur at giving this tenth to their brethren, who instructed them as well in jurisprudence as in religion, when their own estates were by this arrangement increased to the latest posterity.

Nor indeed were the sacerdotal tribe, after thus giving up their own patrimony, *able to compel* their brethren to bring in this tenth for their subsistence. There appears to have been no law given either to priest or magistrate to *take by force* this tribute from the people; nor even to cut off from the house of God and the worship of the temple, those who were tardy in bringing in these tenths, or who altogether withheld them. The whole appears to have been suspended on the affection, the feeling, the piety of the Hebrew nation. Hence, when religion was at a low ebb, the Levites were

* From the 'Friend of India.'

reduced to the greatest distress ; nor does any one among the kings, whether the most pious or devout, or the most profane and tyrannical, appear to have thought of *enforcing* the exact and faithful payment of this *tenth* either to the Levites or the priests.

Such, then, was the state of the sacerdotal tribe under the Jewish ecclesiastical polity, which unthinking men have been so fond of representing as the invention of a mercenary priesthood to enrich and aggrandize themselves. Had this indeed been their object, the event shows that in no instance did men ever fail more completely. The review of their history would almost tempt us to believe, that the arrangement of the Jewish ecclesiastical polity had almost taken from the priests even the desire after wealth and power. While kings abused their power, and inferior magistrates oppressed the people to such a degree, that they are said to "sell the needy for a pair of shoes ;" during the whole of the time wherein the nation possessed the land of Canaan prior to the Babylonish captivity, there is no instance of the priesthood's once attempting to engross power and wealth at the expense of the other orders, of the most distant effort to establish an ecclesiastical tyranny ; nor an example to be found of one wealthy overgrown ecclesiastic, of a Beauclerc or a Wolsey, the terror of his brethren and the abhorrence of the people. On reviewing the Jewish polity, therefore, we are almost compelled to conclude, either that amidst the spirit of rapacity which led to the complete dereliction of all principle among the people in general, the sacerdotal tribe remained the most virtuous of men ; or that this system of ecclesiastical polity was so formed, that the desire after power and riches so liberally ascribed to the priesthood, found nothing on which it could possibly feed. If we contrast the Christian church with the Jewish polity, therefore, and recollect the examples of tyranny and self aggrandisement exhibited by the former, during a course of at least fourteen centuries, the conclusion seems almost to force itself upon us, either that it had not the same author, or that men have completely mistaken its very nature.

We turn to the Hindoo system ; and here, without a hierarchy, without a regular series of ecclesiastics rising in gradation, till the highest shall equal princes and rulers, we behold throughout the whole of their code such an evident tendency to harass and distress the minds of the people at large, and to aggrandize and enrich the Brahmanic tribe, as could scarcely have originated in any thing less than steady design. Had this appeared merely in imposing fines to the ecclesiastical tribe, in the form of expiation for certain acts of immorality scarcely cognizable by regular statutes, it might have been ascribed to a benevolent concern in the legislator for the morals and happiness of the people, although the policy which turned the delinquencies of the people to the profit of the sacerdotal tribe, would still have been evident. But in numerous

instances, and particularly in one which came before us last month while examining some papers written long since, containing observations on different species of birds found in India, there appeared such an evident wish to harass and distress the minds of the ignorant with the view of turning this distress to the advantage of the Brahmanic tribe, that we thought it ought not to be concealed from the view of our readers. The case occurs when a vulture, &c. by mere accident, which it is scarcely in the power of any one always to prevent, happens to perch on the house of some hapless Soodra. The following is the circumstance to which we allude: The Hindoos esteem the vulture and some other birds to be inauspicious; if one of these birds should perch on a house, it is to be esteemed unclean, till an expiation has been made. The following law upon this subject is extracted from the Vusunta-rajashakoonā:

“If a vulture, a heron, a dove, an owl, a hawk, a gull, a kite, a basha or a pandura, should settle upon a house, the wife, or a child, or the master of the house, or some other person belonging to him, will die; or some other calamity will befall him within a year afterwards.”

Such then is this law; now for its application in the common course of life, which will at once serve to discover its nature and tendency. To prevent these calamities, the house or its value in money must be given to a Brahmin; or the master thereof must offer for a peace-offering the following articles: viz. the five productions of the cow; * the five gems—viz. gold, silver, crystal, pearls, and emerald; the five nectareous juices—curds, milk, ghee, sugar, honey; the twigs of the five trees,† and the five astringent juices,‡ which are to be put into a pot of water, and presented as an oblation. The guardian deities of the quarters of the universe must then be worshipped, and an hundred and eight oblations of ghee made with a sumidh, or sacrificial piece of the wood of the Kudhira § tree, while the muntra of Mrityoonjaya is repeated. The oblation called the muhavyadhee homa is to be performed at the commencement or at the end of this ceremony. Oblations of ghee, at each of which the gayutree is repeated, are then to be made to Vishnoo, the nine planets, Udbhoota, and the household gods, which being done, the Brahmins must be entertained with ghee and rice milk. It is then required that the sacrificial fees be paid, and water sprinkled with

* Cow dung, cow's urine, curds, milk, and ghee, with koosha (poa cynosuroides.)

† Twigs of *Ficus indica*, *F. religiosa*, *F. glomerata*, the mango-tree, and *Mimusops elengi*.

‡ Juices obtained by macerating in water, the bark of *Engenia Jambolana*, *Bombax heptaphyllum*, *Sidarthombolea*, *Zizyphus jujuba*, and *Sesbana grandiflora*.

§ *Accacia Catechu*.

appropriate muntras ; when, assurance being given that all has been duly performed, a prostration is made to the Brahmins and the benediction received from them.

It will be evident on reflection, that this law and its accompanying circumstances, must produce a double effect on the minds of the Hindoos. In the first instance it must fill them with unspeakable anxiety and terror. Calamities the most dreadful to human nature ; the loss of a man's dearest relatives, the frustration of all his plans, the wreck of all his substance, he is taught continually to dread, not from the consciousness of some flagrant act of fraud and injustice committed by him, not even from his omission of certain awful and mysterious rites enjoined by the shastras ; but from a circumstance in which he cannot become an agent, respecting which he can exercise no kind of volition, and which it is completely out of his power to prevent, the settling of a dove upon his habitation while he may be reposing after the fatigues of business, or perhaps absent at the imperious call of duty !

Meanwhile this gives the Hindoo to understand, that his neighbour, a Brahmin, perhaps fully as ignorant as himself, and far more idle and immoral, has complete power over those circumstances which threaten his property with the most dreadful calamities, and even over the lives of his dearest relatives. What does this involve ? Should he view all things as fortuitous, as arising merely from the operation of chance, he is by this law practically taught, that this Brahmanic neighbour, excelling himself in nothing but disregard to the dictates of reason and morality, is in reality capable of controlling the most afflictive circumstances, of averting calamity, and turning aside even the shafts of death itself. But if he regard all things as ruled by destiny and fate, he views this neighbour as exalted above the gods themselves ; since, if duly propitiated, (*i. e.* feasted and fed,) he can control the laws of destiny, to which even the gods are constrained to bow. Could human cupidity devise a more complete method of enslaving the mind ? Let these ideas prevail uncontradicted—let only a few submit to these expiatory fines rather than run the tremendous hazard, and the belief in the power of the Brahmin is completely confirmed, and from that hour the wealth of his neighbour lies at his disposal. Could the greatest enemy of mankind have devised a more effectual mode of keeping the mind in a state of the most abject debasement ? Is it any wonder that with all their ingenuity of understanding (and in this point they certainly are not behind other nations) the Hindoos should be precisely what we every day witness them to be ?

Yet is there no remedy ? Is the Hindoo mind consigned to everlasting degradation ? Happily there is one remedy easy of application, and effectual in dispelling delusion as the touch of Ithuriel's spear,—it is the diffusion of knowledge, and above all of that arising from the Sacred Writings. Let ten, a hundred, a thousand, begin

to doubt whether the perching of a dove on a house be thus inseparably connected with death and unknown calamity, while that of a raven is perfectly innoxious. Let one among these at length venture to risk the dreadful result, by patiently awaiting these threatened calamities; let another imitate his example, a third, a fourth, and the spell is completely broken. The man before regarded as almost more than a god, by the touch of reason is at once disrobed of all his divinity, and reduced to a quiet, harmless mortal, differing in no respect from his neighbours around him. Thus, without the least noise or stir, may the diffusion of knowledge dissolve the charm, and free the Hindoo mind from a state of thralldom, hitherto destructive to its peace, its improvement, its moral exertion, beyond the power of language to describe.

NO, I ASK NO LAUREL WREATH!

No! I ask no laurel wreath,
Southey wears it—Shadwell wore—
Give me but in peace to breathe
On some lone and distant shore,
Where no tyrant's foot, as yet,
Cain's mark upon the soil hath set.

Let the rhyming tribe delight
In lying praise or amorous song,
And tomes of well-feign'd love indite
For eunuch's or for woman's tongue—
Slaves skill'd in metre charm me not,
Nor move me, but to shun their lot.

But, when on the beach they stand,
And mark the mew the billows skim,
Loathe they not their lord's command,
Wishing their spirit free, like him,
To breast the waves of truth, nor feel
Their stated track round flattery's wheel?

Alas! the lyre, when Freedom's chord
By choice or chance hath once been broken,
Can never more re-sound one word
That doth not thoughts enslaved betoken:
Nor should we prize the lofty strain,
If slaves could all its heights attain.

BRON.

THE GREEK LOAN—MR. HUME.

THE late discussions respecting the appropriation of the Greek Loan, and the conduct of the several parties engaged in its management, having occupied the columns of almost every newspaper in the kingdom, we felt it quite unnecessary at the time of their agitating the public mind here, to enter on the subject in these pages: our principal object being to draw the attention of the British public to matters either entirely neglected by the journals of the country, or so very imperfectly treated, when adverted to in any of them, as to increase rather than lessen the prevailing ignorance. Now, however, that the din of controversy, and the ferment of accusation and recrimination, have in some degree subsided, we are desirous of saying a few words on one portion of the late discussions, in which it is right that the people of *India* more especially should be accurately informed; because, the character of the individual principally involved in this portion of the case, is, and ought to be, an object of their constant solicitude and care. Messrs. Orlando and Luriottis, Messrs. Ricardo and Loughnan, Sir Francis Burdett and Mr. Ellice, Mr. Hobhouse and Mr. Bowring, Lord Cochrane and Mr. Galloway, are all individuals to whose names no interest peculiarly *Indian* can attach. They belong to Europe and to England: and on this stage excite the attention due to the rank they fill in political society, and to the virtues for which most of them are justly and deservedly celebrated. Mr. Hume, however, though equally belonging to the public men of Europe, stands peculiarly before the world as one of the most sincere, zealous, and persevering friends of *India*, and on that ground alone we think it proper to say a word or two to our Indian readers, as to the accusations made against him in England, the statements by which these have been repelled, and the general conduct of Mr. Hume, in his connection with Greek affairs.

First, then, as to the particular transaction itself: the facts of this have been so fully and so frequently published, that they are too familiar to need repetition in detail. It will be enough to advert to such only as are undisputed, and these we think will be found sufficient to exonerate Mr. Hume from all the charges raised against him by his enemies. It was in the very earliest stage of the *first* Greek Loan, that Mr. Hume was among the foremost to set an example of assistance to that struggling nation, by the subscription of so large a sum as 10,000*l.*, drawn from safe and productive employment, to be placed in what was even then considered, by the most sanguine friends of

Greece, to be at least a hazardous investment of money,—in which none were likely to engage but those who would be willing to risk something for the sake of the cause to which it was about to be appropriated. Mr. Hume had, moreover, from the very first appointment of the Greek Committee, before any loan was raised for the Greeks, and before any hope of benefit from such a source could have existed, been constant in his attendance at all the meetings held to consider of their affairs; had laboured zealously and unremittingly, early and late, without fee or reward; and was certainly one of the most efficient of all the members that ever attended the proceedings of that body. Before it was possible that selfish or pecuniary motives could have operated on any part of his conduct, he had already given proofs of great disinterestedness, as well as zeal: and in advancing the 10,000*l.* toward the Loan in question, since there was no commission nor any other emolument attached to his share of the transaction, he gave still further proof of his willingness to prove, by actions, as well as by words, his attachment to the cause he had espoused.

Who then can wonder—when the Greek Deputies, vexed at the rigid care taken by Mr. Hume, to prevent the misappropriation of 50,000*l.*, and to secure its application to the service of the nation for which it had been raised, taunted him with acting for his own interests as a bond-holder, rather than for the interests of Greece—that he should determine to remove all cause for this reproach by selling out his stock, and making himself free to act, without even the shadow of a ground for such unworthy suspicions! We agree with those who have said, that it would have been wiser in Mr. Hume to despise the insinuation: and to have held his bonds notwithstanding; but is an over-anxiety to stand clear of reproach, to be attributed to a public man as a fault? It would be well indeed if this over-anxiety was more frequently manifested by public characters; we could easily pardon a few of its inconveniences in consideration of the great good that would result from it. And yet this is *all* that Mr. Hume's determination to sell at that period evinced; for, if it had been an apprehension of losing money that dictated the resolution, he would have sold out before, when he could have done so without the loss to which he now submitted: though this loss appeared to him, as it would appear to most other men in his situation, a loss forced on him by the imputations of the Deputies, which (as he then thought) left him no alternative between submitting to this pecuniary sacrifice, or to the suspicion of motives which he abhorred and contemned. His preference of the former, showed that he valued money less than character: and that he acted consistently with his professions of zeal for the Greeks, in making this decision.

Then came the period when the bonds, which were at a discount when Mr. Hume's 10,000*l.* were transferred to the account of the Greek Government, rose in price; and then the Deputies themselves—conscious, no doubt, that they had most unjustly imputed to Mr. Hume motives, which the whole course and tenor of his unremitting zeal in the cause of their nation belied—intreated him to permit them to make up the loss which he had sustained on the transfer of his bonds; as they were now the property of their own Government. And as the engagements of the Government for the payment of the principal and interest could not be affected by any intermediate fluctuations in the market price of the bonds when transferred from one hand to the other, this reimbursement could be made by the Deputies, *without loss* to their Government, and without injury to any bond holder. To this Mr. Hume consented; and we must say, that as any private individual, acting as a friend, trustee, or agent for another, without salary, commission, or reward, who should suffer loss by any sale or sacrifice which he considered necessary to enable him to do justice to his trust, would undoubtedly be reimbursed such loss by the individual for the better management of whose affairs he had made the sacrifice in question:—so, we think, there can be no doubt that Mr. Hume ought *not* to suffer a loss imposed on him by the unjust conduct of agents, for the benefit of whose principals he was gratuitously acting, more especially when that loss could be made up, without the slightest injury even to these principals themselves. No one surely will say, that the Greek nation ought to have *profited* by the 1300*l.* lost by Mr. Hume. Neither have they *lost* by its being restored to him: their Deputies having merely given to him, instead of receiving for themselves, the amount of increased value in the bonds, between the time of their first taking them back, and the period at which their higher price suggested to them the justice of the reimbursement offered. In all this, we can see nothing that leaves the slightest stain on Mr. Hume's honour or integrity: and we believe that all who do not habitually disapprove of every thing he does, because of his political opinions being at variance with their own, must, in reality, be as unable as ourselves to perceive any thing dishonest in the transaction.

Having said thus much, as to the undoubted *right* of Mr. Hume to the amount reimbursed to him by the Greek Deputies, we may be forgiven, perhaps, for expressing a regret that, this right having been established, Mr. Hume did not, as he would no doubt have had an equal right to do, lay out the whole sum in debate in the purchase of some appropriate gift, and send it as his own voluntary contribution towards the aid of that struggling people, whom he was so cruelly and unjustly accused of

injuring by the transaction in question. If there are, among the British Public, many who conceive Mr. Hume to have evinced in this affair "an over-anxiety to avoid a pecuniary loss forced on him by the conduct of others,"—a failing which he admits it possible for even "a man of candour" to lay to his charge, though he thinks "this is the utmost extent" to which any one can honestly accuse him, we think it would have been wise to sacrifice something to the satisfaction of even this single class, for the opinions of "men of candour" are always worth weighing, and to have silenced the public clamour on the subject, at once and for ever, by making a present of the whole sum in dispute for the purchase of a battering train of artillery, a steam-boat, or any other suitable gift to the Greek nation, for the welfare of which no man in England, or in the world, (Lord Byron and Col. Stanhope not even excepted,) has, we sincerely believe, laboured more zealously, more disinterestedly, or more efficiently, than Mr. Hume.

If it be objected, that the relinquishment of so large a sum might be interpreted into an admission of its being wrongfully obtained, we should say, that let what will be done by some men, whose politics are obnoxious, there will be always found misinterpreters of their motives and calumniators of their conduct. But, retaining the money can only be approved by those who think it justly reimbursed, (of which we are among the number;) while the appropriation of it to some object, worthy of Mr. Hume to give, and of the Greek nation to receive, would satisfy all parties: those who think his right to the amount undoubted, would admire his generosity: those who dispute that right, would be compelled to respect his sense of justice: the whole world would bear witness that he was more ready to sacrifice his wealth, than forfeit any portion of their good opinion, while he himself, we are persuaded, would number among the most agreeable hours of his useful and valuable life, that in which he resolved to lay at the feet of Greece, in some appropriate gift, the whole of the disputed sum, thus bringing, as it were, to the sacred altar of Freedom, the sacrifice of that which mankind supposed him to hold among the most precious of this world's enjoyments: and proving unequivocally, that, dear as wealth might be thought by some to be to him, yet, in his own estimation, liberty and reputation were dearer still: and that for these, no sacrifice that he could make should be withheld.

Such a determination as this would render the appointment of arbiters unnecessary. In all such cases, a man's own heart is his best counsellor: it is the only one indeed on which he can safely depend. A thousand hidden motives prevent the disclosure of men's real sentiments one to another: so that nothing

perhaps is more rare than undisguised sincerity, in personal and social intercourse. But, in his own bosom, man finds no concealment, no false colourings, no evasions, no untruths. Let him but appeal to this, and summon *courage* enough to *act* upon its dictates, (for this is the point in which most men are deficient,) and if the issue place the individual higher in his own estimation, he may thence be assured of the approbation of all the truly virtuous among mankind: and for the rest, he will be by such means (but by such alone) in a condition to defy and to despise them.

N A T U R E. *

By D. L. Richardson.

The fair smile of morning,
The glory of noon,
The bright stars adorning
The path of the moon;
The mist-cover'd mountain,
The valley and plain,
The lake and the fountain,
The river and main,
Their magic combining,
Illumine and control
The care and repining
That darken the soul!

The timid Spring stealing
Through light and perfume,
The Summer's revealing
Of beauty and bloom;
The rich Autumn glowing,
With golden leaves crown'd,
The pale Winter throwing
His snow-wreaths around;
All widely diffusing
A charm on the earth,
Wake loftier musing
And holier mirth.

There is not a sorrow
That hath not a balm;
From Nature we borrow,
In tempest or calm;
There is not a season,
There is not a scene,
But fancy and reason
May gaze on serene:
And own it possessing
A zest for the glad,
A solace and blessing
To comfort the sad!

* From Ackermann's 'Forget me Not' for 1827.

CAPTAIN MACNAGHTEN.

DURING the last month, a printed pamphlet, entitled 'Reply of Captain Macnaghten, to the various slanders of Mr. J. S. Buckingham, Editor of the Oriental Herald,' was left at the office of this publication: for the purpose, it was conjectured, of having its contents noticed, as those of any other published work might fairly and legally be. On application being made, however, by the agent of this journal, for a second copy, for the convenience of the printers, the copy was supplied by the author, accompanied, however, with a note under his own hand, stating that the pamphlet was "*not published.*" On turning again to the pamphlet itself, we observe that it bears on its title the name of no bookseller or publisher; that it is from the press of Messrs. Cox and Baylis, the printers to the East India Company, and of the 'Asiatic Journal;' and from the 'Advertisement which precedes the body of the text, we learn, among the other *new* things with which this short Advertisement abounds, that the letter of which the pamphlet is formed, was originally addressed to the Editor of the 'Morning Chronicle,' who, for reasons assigned, declined to insert it in his paper; after which, the author, in conformity with the advice given him by the Editor of the Chronicle, and other gentlemen, abandoned the notion of publishing it, and confined himself to "merely printing his statement for circulation among those more immediately likely to take some interest in it, and also among the gentlemen connected with the press, as he (Captain Macnaghten) will hereafter appear in an anecdotal character before them, and is therefore desirous of demonstrating, that if not quite faultless, he is at least undeserving the slanders he has experienced."

Had it been the only object of the writer, to show that the slanders (as he is pleased to call them) affixed to his name by others were undeserved, he would, first, have confined himself to a refutation of these, without recriminating, in the scurrilous and abusive manner that he has done, on the supposed author of the said supposed slanders; and secondly, have *published* the refutation in such an open manner, as that all the world might see and judge for themselves how far the proofs adduced, corroborated the assertions made. In India, indeed, we have often heard of "hole-and-corner pamphlets," sometimes secretly circulated by humble individuals, because the writers dreaded banishment without trial, if they dared to publish their strictures and opinions in any more open manner; and at others, privately put forth by some leading functionary of

Government, as in the case of the late Mr. Adam, for instance, because the writer wished to have his statement placed in the hands of all the parties he desired to bias towards his own views, without giving his opponent the opportunity of replying, as it would be considered a breach of privilege to expose a private and unpublished writing. But in England, where no man need fear punishment of any kind without trial, for any thing he may advance through the press, the "hole-and-corner" system of private circulation is quite new, and confined, we believe, to the Honourable East India Company, and the servants of such Honourable Masters.

Some time in the early part of the past year an octavo pamphlet of forty pages was printed, at the charge, we suppose, of the East India Directors, under the title of 'The Statements of Mr. J. S. Buckingham, late of the Calcutta Journal, examined and corrected,' with a scriptural motto, "He that is first in his own cause seemeth just; but his neighbour cometh and searcheth him." * This was seen in the hands of some of the East India Directors who sat on the Committee appointed by the House of Commons to inquire into Mr. Buckingham's case. It had at the foot of the title, the words: "London printed for ———," without any name of a bookseller or publisher to fill up the blank. It purported to be "Printed by J. Golding, Draper's Place," but after a rigid inquiry of several days, it was found that there was no such printer in the place specified, and that though the pamphlet was in the hands of the East India Directors, and used by such of them as sat on the Committee of the House of Commons as a sort of text book for their cross-examinations: it was to all intents and purposes a secret "hole-and-corner" production, which had never dared to see the light in the open and manly way that truth loves to appear before the world at large; these Directors evading even the law of the land, by having a fictitious name affixed as that of the printer, and yet no doubt sufficiently spreading it among their friends and adherents, to do all the mischief and injury required, without affording the accused an opportunity of refuting the statements, as they were contained in a private and unpublished document!

* When certain Pharisees asked Christ an explanation of the commandment "Thou shalt love thy neighbour as thyself," and wished him to explain who was meant by the term "neighbour," he related to them the parable of the wayfaring man, who in his journey to Jericho had fallen among thieves, and was helped by the Good Samaritan (or neighbour) out of his distress, and whose example he recommended to his hearers, by saying, "Go thou and do likewise." It cannot be in this sense that the word *neighbour*, used in the motto quoted is to be understood, for those who have searched the individual alluded to, as the man only *seemingly* just in his own cause, are the East India Company; and they certainly have more resemblance to the thieves among which the traveller in the parable had the misfortune to fall than the Good Samaritan who helped him in his hour of need. The motto is therefore ill-chosen, to say the least.

One of the most amusing features of this performance of Captain Macnaghten, is, however, the following:—Being in Calcutta, when certain strictures on the Indian press, and its condition while he was connected with it, appeared in the ‘Oriental Herald,’ he addresses a letter to the ‘Chronicle’ in London, intending to follow it up immediately, by undertaking a voyage to this country in a few weeks afterwards, chiefly (as he himself says in his letter) for the purpose of confuting Mr. Buckingham on the spot. Even before he leaves India, however, he discovers, or pretends to discover, that the strictures of which he complains, fall pointless to the ground, because even the liberal Papers of that country unite in declaring them to be utterly unfounded; and when he arrives in England, he finds that here, also, as well as in India, the statements are perfectly powerless, because of the universal discredit into which the *supposed* author of them has fallen. After stating that he had, in conformity with the advice of the Editor of the ‘Chronicle,’ and other gentlemen, determined to abandon all idea of *publishing* his statement, and adopted the present mode of printing it for private circulation, he says, “From various quarters I have also heard that Mr. Buckingham himself has fallen so low in the public estimation that *his censure is more desirable than his praise*; that he is a perfect pest and nuisance *to the press*, and that no one here would think it worth while to *notice him at all*. Accordingly, (continues Captain Macnaghten,) I have no intention of prolonging a controversy *with a man of that description*.” Here is a pretty clear avowal of the reasons why the pamphlet is not *published*. There is no intention to invite strictures on its contents, no intention of prolonging a controversy: a determination no doubt wisely made, because its issue might not be so favourable as could be desired. But, if it be really true, and Captain Macnaghten at least desires that *his* readers should think so,—that “Mr. Buckingham’s censure is more desirable than his praise,” the wonder is, that this censure, this object of desire, this presumptive evidence of the excellence of that character to which it is applied, should sit so heavily on Captain Macnaghten, or that he should labour so hard to throw it off. If it were as desirable as he affects to consider it, he should really hug it to his bosom, and rejoice that he had been distinguished by the disapprobation of one “whose censure was more desirable than his praise.” If, on the contrary, the censure be really painful, what are the world to think of a writer who puts forth in his first page so hypocritical a piece of affection as this? Again, if Mr. Buckingham be really, as Captain Macnaghten pretends to have heard and to believe, such “a perfect pest and nuisance *to the press*, that *no one* here would think it worth while *noticing him at all*,” it was a waste of time and money, as well as temper and patience, to print this

unpublished pamphlet for circulation "among the gentlemen connected with the press," for by all these, it seems, Mr. Buckingham is considered "a perfect pest and nuisance" already; and thus, like the idle labour of "gilding refined gold" or "painting the lily," it is in every sense "a wasteful and ridiculous excess." But when an individual says to the world, "A man, whose censures are much more desirable than his praise, has honoured me with a place in his disapprobation: nevertheless, though no other person in the whole community would stoop so low as to notice him *at all*, yet *I* cannot afford like others to maintain my ground upon the mere strength of a reputation sufficiently established to defy the attacks of one whom all the world, except myself may, and indeed do despise," the reader, of such an avowal---which is a correct paraphrase of Captain Macnaghten's declaration in his advertisement, and of his practice in the circulation of his unpublished pamphlet---will judge what sort of an opinion the writer must entertain of himself, and shape his own, perhaps, by that standard.

Having said thus much, we should be perfectly justified in withholding all further notice of such a smuggled and unpublished production. But, as the subject may not again be reverted to in these pages. for, after the printed avowal of the writer that *he* has "no intention of prolonging a controversy," it might be thought ungenerous to press upon an adversary who has declared his intended withdrawal from the field:---we may as well place, in as brief a compass as is compatible with being intelligible, the heads of Captain Macnaghten's complaints, and the answers by which they can be satisfactorily met.

1. The author, having first avowed himself to be a "Pittite and a Tory," details his personal acquaintance with Mr. Buckingham in India, and admits "the liberality of his (Mr. Buckingham's) conduct, in never allowing political difference of opinion to interfere with, or hinder, his personal attachments." He next admits Mr. Buckingham's "readiness to insert, on all occasions, the communications of others in his Journal, however opposed in political opinion to the sentiments avowedly entertained by himself." To these qualities of general impartiality, we are proud to say, men of all parties, besides Captain Macnaghten, continue to bear testimony.

2. After reciting these proofs of former personal esteem, and practical love of justice, on the part of Mr. Buckingham, Captain Macnaghten expresses his wonder at any change of sentiment in the mind of his former friend; supposes him to be actuated by inveterate, though unaccountable hatred and malice, and demands the reason of this change of opinion and bitter hostility! The answer to this is, that *not a single line* of the *supposed* slanders on Captain Macnaghten ever came from Mr. Buckingham's pen; that he has never entertained a feeling of either

hatred, malice, or hostility towards this mistaken individual ; that his former esteem has been merely changed to pity for his errors and misfortunes ; and that he has always rather avoided thinking on this painful change at all, than encouraged it, as Captain Macnaghten supposes, by the exercise of all the bad passions that could reign in the heart of man.

3. Certain facts, connected with Capt. Macnaghten's history, and especially during his connection with the Indian press, are then recapitulated, as having been asserted in the pages of the '*Oriental Herald*,' without due foundation : and the authorities on which these rested are declared to be unworthy of belief. The answer to this is, that the Summary of Intelligence from India, which has been written and compiled by no less than four different and successive individuals, since the establishment of the '*Oriental Herald*,' has been always drawn from such of the public journals of India as happened to reach the office within the month, and such letters from sources worthy of credit, as had arrived from India, addressed to the Editor, or could be procured from persons in England who favoured him with occasional extracts from the letters of their correspondents. All these were put into the hands of the person to whom, for the time being, the digest of the Summary was confided,—as evidence is laid before a Committee of the House of Commons, on which to frame a report, or as intelligence is laid before the Editor of a paper, from which to frame as faithful an account as his materials will admit. Not one of the individuals who have been thus engaged, can ever have been actuated by malice towards Capt. Macnaghten ; whom as far as we believe, neither of them ever saw. And for Mr. Buckingham himself, he is ready to declare, that all he has ever desired from the compilers in question, has been a true and faithful Summary of the Intelligence submitted to them, without fear or favour, without fee or reward, beyond their fixed salaries, which neither increased nor decreased from this cause, and without the slightest bias being ever attempted to be given to their minds, any more than to those of the reporters of India House debates, or the compilers of the Indian promotions, births, marriages, or deaths, with all and each of which the Editor has no other connection than that of a constantly expressed wish to have these several departments of his work as fully and faithfully executed as may be practicable, and that general legal responsibility, of which, by whomsoever the information is furnished or arranged, he can, of course, never wholly divest himself. The notion of malice, hatred, and personal hostility, leading to the statements complained of, is therefore wholly groundless : nor did such a feeling, in the slightest degree, influence the Editor in his omitting to prevent their publication. His love of "free discussion" is not an idle sound : and provided statements are

made, on authorities which he has every reason to regard as accurate, and which, being placed in the hands of others, are analyzed with no other desire than that of stating "the truth, the whole truth, and nothing but the truth," he should hold himself a traitor to that Freedom of the Press, for which he has done and suffered so much, if he suppressed such truth, because it might be painful to individuals whom he had formerly, or whom he even now esteemed: because, in public questions like these, private partialities should no more have influence to prevent, than private dislikes to promote, the publication of whatever was believed to be just and true.

3. Lastly, as to the principal facts themselves; namely—1st, that of Capt Macnaghten having been tried in the Supreme Court of Justice at Calcutta, and condemned to pay a fine of 10,000 rupees, for the seduction the young and, till then, virtuous wife of his friend, under whose tent he was receiving hospitality and protection;—2ndly, that of an officer of a king's regiment having prevented his friend from accepting Capt. Macnaghten's challenge, on the ground that the latter had forfeited his claim to such a privilege, by conduct which, in his opinion, shut him out from all title to this honour;—3rdly, that of Capt. Macnaghten having, while holding the situation of Deputy Judge-Advocate under the Indian Government, and Editor of an Indian paper, used language more calculated to provoke hostilities and to lead to bloodshed than any other contemporary writer;—4thly, that of Capt. Macnaghten being the only Editor in India who openly applauded the massacre of the Native troops at Barrackpore, declaring it would not have been matter of regret if thrice the number had been slain, and describing the King's troops as being employed in "sniping" at the fugitives through the greater part of the day;—5thly, that of Capt. Macnaghten being ultimately tried by a Court Martial of his brother officers, and sentenced to be cashiered, which sentence was so far mitigated by the Commander-in-Chief as to be commuted for dismissal from his office as Deputy Judge-Advocate of the Army, the duties of which his intemperance and indecorum rendered him unfit any longer to discharge;—all these are as capable of proof as any assertions that were ever advanced. They are all to be found in the pages of the Indian papers themselves; and most of them in the records of the Courts before which the trials and decisions took place. All the conclusions of the Judges, whether Civil or Military, may have been wrong; and they may have decided the fate of the accused without sufficient evidence. Capt. Macnaghten may not have been guilty of the acts for which verdicts have been recorded against him; but the world has just as undoubted a right, after such recorded convictions, to assume his guilt, as they have that of Mr. Bochsa.

or any other individual sentenced by a Civil or Military Court to any penalty or punishment. It may be painful to such individuals to see the memory of their recorded guilt revived: it may be even illegal, as the decision in *Bochsa's* case seems to prove, for any man ever to advert to such recorded convictions, true as they undoubtedly are; and it may be thought, by the parties themselves, quite unnecessary to the ends of public morals or public justice, that any action of former days should ever be spoken of in later ones. But on these points, whatever the law and the guilty individuals may determine, the rest of the world will be likely to think for themselves: and the reply to any complaint of the wounded parties would be—"If you would avoid all pain of feeling, abstain from doing acts, the recollection of which disturbs your complacency; or, at least, have the discretion not to add fuel to the flame, by seeking, through your unreasonable complaints, to provoke a renewal of their discussion."

To conclude—As Capt. Macnaghten, in indulging the vituperation which characterises his unpublished pamphlet, has laboured under a most unfortunate mistake in supposing that Mr. Buckingham is actuated by personal malice and hatred towards him individually, Mr. Buckingham takes this occasion to declare, in the most solemn manner, that no such feeling has ever for a moment entered his breast. He regrets---as who would not?---to see one whose early professional career, and private habits and pursuits, promised so brilliantly, arrested suddenly in his progress, and his latter days obscured by clouds, of which his early ones gave no sign or portent. He, therefore, attributing much to the influence of the misconception under which Capt. Macnaghten so unfortunately laboured, forgives him freely for all the epithets of "slanderer, miscreant," and others of similar import, with which he has so abundantly deformed his pages; conscious that as they were meant for the writer of the *Strictures on Capt. Macnaghten's* proceedings, (who is altogether another individual, though quite as undeserving such epithets as Mr. Buckingham himself,) they are words without force or meaning: and assuring him, that so far is Mr. Buckingham from being his enemy, that no man would rejoice more sincerely than he should do, if so impossible an event could happen, to witness the entire obliteration of every questionable act of Capt. Macnaghten's life from the records of the times; and to hail his restoration to that happier state, in which their intimacy was once marked by mutual respect and esteem. For the rest---as this can never be---he wishes him health and virtuous resolutions, with a long life of distinguished merit, by which to eclipse the lesser, and at the end of his career, it may be hoped, the forgotten, imperfections of the past.

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND
OTHER COUNTRIES OF THE EAST.

BENGAL.

THE latest arrivals from India have brought us papers and letters from Bengal up to the 31st July, and from Madras to the middle of August. The intelligence they contain is not very important. The second division of the army had arrived at Madras from Rangoon; but the second instalment due from the Burmese had not been paid, and the final evacuation of that port was consequently delayed. It is pretty evident that the Court of Ava, now that the greater part of our forces are withdrawn, will not be disposed to hurry themselves in paying up the arrears of the imposed tribute. They cannot be entirely ignorant of the peculiar and precarious tenure by which we hold the empire of India and control the Native powers who still have a shadow of independence. They may naturally hope by delay to gain something from the chapter of accidents; and if they gain nothing else, they gain time. As for good faith or adherence to treaties—considerations of this nature, when not strengthened by clear views of interest or fear of retribution, have but a slight influence even with European States. What then can we expect from the monarch of Ava, and a court of “wily and faithless barbarians”—as we ourselves have called them?

In the meanwhile, it appears that the Natives, under the impression that Rangoon will not be given up at all by the British, are flocking thither in great numbers, and the trade of that place was rapidly reviving. The following intelligence from Rangoon is dated May 30, 1826:

“Since the restoration of tranquillity, the population of Rangoon has increased in a most astonishing manner: it is suspected that part of the augmentation is only temporary, the people being so far on their way to the southern settlements; however such a purpose is not avowed. The Burman authorities are very suspicious of the intentions of the Peguers, and very unreservedly express a hope that we may be solicited to remain some time at Rangoon, until the new order of things is fully established; no intimation of such a wish, however, has been officially made, and our preparations for a final remove proceed without interruption. Shortly after Sir Archibald Campbell’s return to Rangoon, a party, with elephants and cattle, were detached from the land column to Martaban by way of Pegu. In consequence, however, of the unusually early commencement of the rains, the roads proved impassable, and the party were compelled to return to Pegu, whence they will proceed to Rangoon. The most friendly intercourse is maintained between the British authorities and Burman chiefs, and amongst others a letter has been received from Udma, the ex-Raja of Martaban, who is rather in an awkward predicament, as he has not been restored to his Government by the Court of Ava. This chief is seventy years of age, addicted to the use of spirits, mischievous at all times, but particularly when in his cups.

He served under the Bundoola in Assam and Cassay, and from his temper and habits is not unlikely to be a troublesome neighbour, if replaced in his post. His power to do mischief, however, is very limited, and his years and propensities render it probable he will not, however well disposed, be troublesome long. Commerce is beginning to revive at Rangoon, and considerable supplies of grain have been already received from the Martaban province,—a proof of the productiveness of the latter."

Other letters of a late date have been received, which confirm the preceding, as well as convey additional intelligence from that quarter. The following is under date of June 10, 1826:

"The *Morran* arrived here on the 16th inst. at with the two Chiefs of Tavoy, and three vakeels, who were lately prisoners of war at Calcutta. The other prisoners, viz., the Rajah and Rahnée of Chedua may be expected every day by the steam-vessel. The other ships which have arrived between the 14th and this day, are the *Thetis*, the *General Wood*, and the *Hydroy*. His Majesty's ship *Atlas*, from the coast of Africa, arrived this day. The non-arrival of ships from Madras, makes all the Malabares high and low, very anxious. The trade of Rangoon is returning by degrees to a usual briskness, and the population of Rangoon has considerably increased. Those fugitives who have returned, as well as the most considerable part of the Burmans, are buoyed with the hope that the English will permanently retain Rangoon; if they do not, the Burmans will all remove to the territories of the English. The New Town is becoming very prosperous, houses are building and some of the settlers are so enterprising as to send to the Coromandel coast for brick and chimney; but they will find it an unnecessary expense, as the country abounds with lime, and bricks may be easily made, the clay of the country being peculiarly fit for that article."

Among other curiosities which have found their way from the Burmese territories to Calcutta, the following may be numbered. It is thus described in a paper of recent date.

"An interesting specimen of African Sculpture has lately been set up in the compound of the Asiatic Society's House at Chowringhee; a colossal statue of *Budda* which strikes the visitor on the face, the moment he is within the gates. The figure is of black granite, in a sitting posture, as usual with statues of *Budda* or *Gautama*, and is characterised by the large ears and curling locks, which have been supposed to indicate the African origin of this divinity. The nose, however, is any thing but African—the figure is raised upon a low pedestal, and upon the whole is ten or twelve feet high. We understand this figure was surreptitiously brought down from Guya by the Raj Gooroo of the King of Ava. How he contrived to smuggle such an article is not easily conceived. On its arrival in Calcutta, it could no longer be hidden in a corner, and the image was redeemed from its purloiners. After the departure of the Gooroo the image was left in the compound of the Infant Hospital, where the European soldiers amused themselves with profanely pelting it with stones, by which the funds have sustained some damage; in other respects it has escaped unharmed, and forms a very appropriate Duiwan for the Asiatic Society's apartment."

The following notice of the trade of the Burmese Empire, especially that with China, given in one of the last Calcutta papers, is of some importance. It appears that tea of different descriptions from those brought to Canton, and of good quality, is procured from China, and retailed in Ava for about *seven pence per pound*:

"The principal articles of import by sea into the Burman dominions are Bengal, Madras, and British piece goods, British woollens, iron, wrought

and unwrought, copper for sheathing, lead, quicksilver, borax, sulphur, saltpetre, gunpowder, fire-arms, sugar, arrack, and rum, and a little opium, earthenware, Chinese and English glass-ware, cocoa-nuts and betelnut. The trade in British piece goods has of late years much increased, whilst that of Madras piece goods has, proportionately, diminished. On the northern frontier of the Burman dominions, an active trade is carried on with China and other eastern states; the chief emporium is at a place called Banno, on the Chinese frontier, and at Midai, four or five miles to the northward of Amerapura, Mohammedan and Burman merchants of Ava go to Banno to meet the Chinese, part of whom, not unusually four or five thousand, come down to Midai. The Chinese import copper, orpiment, quicksilver, vermilion, iron pans, silver, good rhubarb, tea, fine honey, raw silk, spirits, hams, mousk, verdegis, dry fruits, and a few fresh fruits, with dogs and pheasants; the Chinese travel on small horses and mules, and are said to be two months on the road. The tea that is brought by the Chinese is black, and is made up in round cakes or balls; some of it is of very fine flavour, and it is all of a very different description from any which is sold in the market of Canton; the better qualities are well adapted for Europe: the retail price is but one tikal; little more than a rupee for one vis, or nearly four pounds. This tea is used by all who can afford it, but a cheaper sort, said to be the produce of some part of the Burman territory, is an article of great and general demand. It is eaten after meals, with garlic and sesamum oil, and it is customary to offer it to guests and strangers as a token of welcome. The returns of the trade with the Chinese are chiefly cotton, ivory, and bee's wax, with a small quantity of British woollens, chiefly broad cloths and carpets. The quantity of cotton is annually very considerable, it is estimated at not less than 70,000 bales of three hundred pounds each: the greater part of it is cleaned; the Ava cotton of the lower provinces is of a short staple, but that of the upper, long, and of a fine texture. The cotton of Pegu, it is said, is sent to Chittagong and Dacca, and is the material of the fine Dacca muslins. Another line of traffic is that with the country of the Shans, or, as it is termed by Europeans, the kingdom of Lao. The Shan traders repair annually, in the dry season, to the Burman country, bringing with them stick lac, bee's wax, a yellow dye wood, various drugs and gums, raw silk, lacquered ware, ready made jackets stuffed with cotton, onions and garlic, turmeric, and coarse sugar in cakes: the chief returns are dry fish, nappi, and salt. The chief fair at which the shans attend is at Plek, six or eight miles south of Ava, on a small river which falls into the Irrawadi under the walls of the capital: there are several smaller fairs along the east bank of the Irrawadi, and one more considerable is annually held at the Dagon Pagoda, near Rangoon."

The latest accounts which reach us, from various quarters of the country recently acquired from the Burmese, show, however, that the climate is such as to prove a great drawback to the true value of such possessions. The following is from Cheduba, dated June 1, 1826:—

"The south-west monsoon set in here about the middle of last month, with its accompaniments, violent winds and rain: for some days previous the weather had been extremely hot, no wind, with the thermometer frequently as high as 94 degrees. From this period, I am sorry to say, we have experienced much sickness, and the mortality which has attended our men has been very great. On the 1st of last month, our strength was about four hundred men, forty and more of whom have since been laid in their graves, and ere this month is closed, I dare say, twice that number will have shared the same fate—our sick in hospital have increased from fifty to upwards of two hundred and fifty, besides convalescents in barracks that were obliged to be discharged to make room for others, whose cases were of a more urgent nature. It is truly melancholy to see the state that the corps is in—from the circumstance of this being only the commencement of the healthy season, and from the

recent calamitous fate before our eyes which attended the army in Arracan, similarly situated to what we are at present,—despair is almost visibly portrayed in every countenance! and such is the baneful influence of this pestilential climate, that neither care nor attention to your health is seemingly of much avail, as death generally seizes the youngest, stoutest, and most sober of the men—our Bengal servants are equally as sickly as the European soldiers; the fever, however, must be with them of a less degree, as few have been carried off by it; they were, however, become perfectly helpless, and look miserable.”

While speaking of the commerce of the east, we are reminded of the late pressure for money in Calcutta, which was occasioned by the drains of the war, and the consequent demand of specie for all the operations of Government, which led to the opening new loans, and procuring cash from every available quarter. It appears, from recent advices, that this pressure has at length abated: as the following paragraph from a Bengal paper of July 3, 1826, which states the causes of its removal, and the sources from whence relief has been obtained, will show:

“Treasure, to the amount, as stated to us, of seventy lacs of Rupees arrived at Calcutta from Bhurtpore, on Sunday afternoon, under a strong escort, and was landed on Monday morning.

“Fifty lacs from Lucknow are also, we understand, daily expected. This supply, in addition to the ten lacs which have arrived from Chittagong and Aracan, and the twenty-five that may be daily expected from Rangoon, must effectually relieve the Money Market, already, indeed, in a recruiting state.”

On the other hand, one of the principal articles of export in the commerce of India was likely to fall very short in quantity, and some loss to be occasioned to the planters of Indigo, by the deficiency of the harvest in this now widely cultivated and highly valuable plant. Letters from Calcutta, to the 14th of July, give a very unfavourable account of the Indigo crop. One letter, of the 8th, says: “The general opinion of the crop is, that it will be very deficient. The estimated quantity is—50, 60, to 70,000 maunds. Last year’s crop was 140,000 maunds. The river is rapidly rising, and the crop, in no case, can exceed 75,000 maunds. The exports to England will consequently be from 10 to 12,000 chests less than last season. There are no complaints of money being scarce.”—In another letter of the 13th, it is mentioned, that “accounts of the Indigo crop, of the most discouraging description, continue to be received from all the Indigo districts; and the failure, particularly in Bengal, is likely to exceed the most gloomy predictions. There is no Indigo in the market; and no prices are quoted for it. Large shipments of cotton have taken place—freights, 5l. 10s. to 7l.; Exchange, 2s. to 2s. 1d.; discount on private bills, 7 per cent.; European goods now in the market, selling generally at an advance of 2s. 6d. per sicca rupee.”

Although we have not heard of the return of the cholera morbus, which was for so many years the scourge of India; yet we regret to observe, by a paragraph in the ‘India Gazette’ of the

early part of July, the existence of a disease in Calcutta which is thus described:

"A slight epidemic, we understand, prevails at present in Calcutta. It is somewhat similar, but much less severe, than the epidemic fever of the last two years. There is considerable head-ache, with pains of back and limbs. It runs through its course in about forty-eight hours, and does not leave the patient so debilitated as the former epidemic; neither is there that eruption of the skin, impatience of light, and affection of the joints which characterised the disease alluded to."

As some of the Bengal papers have inconsiderately joined in the complaints made by individuals against the general accuracy of the intelligence from India, given in our pages, by far the greatest portion of which reaches us through the channels of their own columns, it may teach them a useful lesson of humility, to show them that the best among themselves are not infallible. In a number of the 'Columbian Press Gazette' some time in the month of June, the following paragraph appeared:

"We are sorry to state, that a letter is in town, (Calcutta,) announcing the shocking intelligence that his Majesty's ship, *Barracouta*, has been wrecked on Madagascar, and all the crew, including captain and officers, massacred by the natives; this letter came from the Mauritius, and the melancholy fact rests on authority that cannot be doubted."

Here was a fact, so melancholy in its nature, so calculated to give pain to numerous individuals, that the utmost care should have been taken to ascertain its undoubted truth before it was issued to the world as resting on unquestionable authority. It was printed, however, and copied by all the other papers of Bengal, Madras, and Bombay, as a matter of undoubted certainty. From a paper of the last named Presidency, it was copied into an English Journal the 'Globe,' and read by many here as a piece of authentic information, the positive manner in which the authority was declared to be undoubted, leaving no room for hope or suspicion of its inaccuracy. In a few days, after its appearance in England, however, a paragraph in the 'Globe' contradicted the whole story, by the satisfactory announcement that his Majesty's ship *Barracouta*, instead of being wrecked on the Island of Madagascar, had safely arrived in England some months ago: and that the captain, officers, and ~~all~~ the crew, instead of being "massacred" by the savage natives of Africa, had been paid off at Deptford, and were now probably enjoying the comforts of home, and a snug fire side. So much for the "undoubted authority" on which this "shocking intelligence" was founded. We do not give this as an instance of any thing but liability to misinformation and error: nor do we reproach the 'Columbian Gazette,' or the other Indian papers for their too ready credence of such false rumours. But this we say, that when matters happening in their own hemisphere are so imperfectly known to them: they might exercise some indulgence towards others who are equally, though not more liable, to the same risk of being

misinformed on matters passing at a distance, and of which it is impossible to receive intelligence but through the channel of others.

MADRAS.

The tranquillity of this Presidency is seldom disturbed by any remarkable event; or, if such events occur, they make no noise beyond the precincts of the fort. The official stiffness and state, for which its society has long been remarked by the other settlements in India, seems to extend itself to something more than their full dresses, and formal dinners. The minds of the people are never ruffled by the intrusion of public discussion on any topics, likely to excite their feelings, or their thoughts: and that mental and physical repose, so much an object of desire with all Asiatics, seems to be enjoyed in the highest possible degree at Madras. The only article of public intelligence that we have been able to glean from that quarter, and this through the intermediate channel of an English paper, is the following, under date of Madras, July 22:

"The Honourable the Governor left the Presidency yesterday afternoon on a tour to the Provinces. His Excellency's departure was announced by a salute of nineteen guns from the saluting battery, and by a similar complement from Chépauck Palace."

BOMBAY.

The Bombay papers are (if the reader can fancy such an unusual combination) amusingly dull. Having gone through the 'Bombay Gazette,' for the month of June last, we perceived nothing but a dreary waste, and an almost total absence of Indian intelligence, save and except the important record of a dinner, an anniversary or a ball, on which occasion the utmost freedom of panegyric is permitted, until we came to the last paper of the month, (the 28th,) in which is the following amusingly dull lamentation of the Editor, on his resignation of the important trusts which he had ably discharged. It is worth transcribing for the information of the English reader, who will obtain from it a tolerably accurate impression of the general character of Indian newspapers, the class of subjects they discuss, and the nature of the materials which they lay before their admiring readers. The retiring Editor says:—

"This being the last time of our superintending the 'Bombay Gazette,' it might be considered ungracious, were we to resign an employment dedicated to the public without announcing our resignation, and ungrateful if the acknowledgment of patronage were omitted. We therefore venture to encroach on the space usually appropriated to narrative and speculation, for the purposes of conforming to custom, discharging the tribute of gratitude, and taking a brief retrospect of the circumstances under which our course has been pursued. As the period of our engagements with the Bombay Press has not abounded with incidents calculated to awaken public attention, and give interest to journals or weekly prints, our resources have been but few to supply novelty, or materials for the exercise of opinion. Yet we have experienced that indulgence which repays anxiety, and approbation, which may induce us to resume our labours in a wider field. Unfortunately, the preference usually given by Englishmen to foreign productions, does not extend to the relation of events;

and still less to the discussion of remote transactions, which distance of and space equally affect in the scale of importance, while the Indian Press has little to offer them but occasional dry importations, often insipid, and sometimes of artificial manufacture. Not that the country we live in is wholly barren; far from it: but some of its produce, imparting the knowledge of good and evil, has long been forbidden fruit; consequently few would be tempted to pluck it at the risk of expulsion from *Paradise*, unless, with the genius of Milton, the hope might be entertained of eclipsing his fame by the benefit of experience, to surpass him in description, and add new horrors to the fall of man. But whatever may have been the trammels with which public information has been restrained, or the paucity of interesting subjects for discussion, as we have shared the difficulties with our cotemporaries, it is far from our intention to complain of them as hardships peculiar to ourselves, but to mention them as an apology for the Indian Press generally, of which every one may take advantage according to their several necessities; provided that, as *clerks* formerly claimed the benefit of clergy, by being able to *read*, this apology shall not extend to those who cannot *write*. In conducting a public paper, the hope of pleasing all who perused it we never indulged, and considering that decided principles of whatever description, must give offence to some, we have reason to believe that our endeavours to avoid giving it have been generally fortunate. If we have ever exceeded the bounds of moderation, it was more from inadvertency than intention; and public candour has not left us reason for thinking it has often been imputed to design. A few individual exceptions to liberal construction are scarcely deserving notice; particularly when arising from that ignorance of language incapable of discerning inferences from facts, or the heavy intellect which mistakes irony for grave assertion. However severe the stagnation of public incidents may have been felt by those employed in recording them, we have seldom offered lamentations in the room of intelligence, or endeavoured to enlighten our readers by informing them that the weather was cloudy. If our pages have been dull, we have never violated the rules of society by the sacrifice of private feelings to propitiate public favour. If we have had opinions to combat, or attacks to repel, we have never substituted invective for argument, nor scurrility for facts. In resigning charge of the '*Bombay Gazette*,' our solicitude for its success has not been diminished; and as the conduct of those still concerned in it claims every attention to their interests, we are gratified in being able to inform our readers, that the printing department will be greatly improved by the arrival of our English paper; and as no attention will be wanting, we feel confident, that the liberality which now claims our gratitude will continue its support to our successor."

After this honourable retreat of the old Editor, and publicly announced approach of the new, one might have anticipated a *debut* corresponding to the expectations raised. We can imagine the newspaper readers of Bombay, speculating, during this anxious interval, on the probable line of politics to be pursued by the new candidate for fame: on the length and merits of the first leading article from his pen, on the able development of his political principles, and the comprehensiveness of his glance over the state of public affairs, at the period of his accession to office, or to power. Judge then, gentle reader! what must have been their disappointment, when, on opening the new paper, which was now enlarged from a quarto to a folio sheet, as if on purpose to provoke enlarged expectations, the following original matter, in the shape of an Editorial or leading article, was all that presented itself to their disappointed vision:

"In spite of our endeavours to give our readers something novel on the occa-

sion of entering upon our new calling, we are driven to the necessity of telling them the old story over again, that we have neither had arrivals nor departures during the past week. Bombay, as most of our readers know, is a place almost entirely devoid of incident; and the only thing therefore in the shape of intelligence, which we can expect to convey in our weekly periodical, must be derived from other quarters. Thus dependant on foreign aid, we have no other alternative than to submit, and our submission we fear will be but too notorious on the perusal of our present number. In our subsequent columns will be found the latest news from the sister Presidencies, and a continuation of such articles of interest as we have been able to extract from our European files recently received by the China ships. We must beg to solicit the indulgence of our readers towards our first attempt, and until we find ourselves more at home, and have had time to look into those extensive subjects of foreign politics, and domestic economy, with which the journals and periodical publications abound.

"We have been unable to ascertain whether the free trader, *Elphinstone*, will put to sea to-day or not, the following, however, is a list of her passengers:—Capt. John Webster, Lieut. McLean, Mr. Suter, Mr. Clarkson, Mrs. Hogg, Miss J. Hogg, Miss L. Hogg, Miss E. Hogg, and Mr. J. Hogg."

"Here be truths!"—What can the well-educated and intelligent members of the civil and military services of India desire after this?—Was there no one among either of these extensive bodies sufficiently interested in the reputation of their country, for good taste, to say nothing of good sense, or refinement of understanding, to give the Editor a line of remonstrance or advice, or even to help him to better materials for the paper of the succeeding week?—The Editor *had* correspondents, it is true; for, in the paper of July 5th, the first Number that was issued under his management, he announces the receipt of a communication, in the following terms:—"Timmy Tickle came too late for insertion in our present Number; but, in our next, he may rely on due attention being paid to his accidental discovery." After a whole week, therefore, to examine and deliberate on this elegant production of British genius in the East, it was inserted at full length, occupying a column and a half of a large folio newspaper. We content ourselves with a few extracts of the prose and verse (for the production includes each), to give the English reader an idea of the materials which the 'Bombay Gazette' thinks worthy of being laid before its numerous and intelligent readers.

"The following amiable conversation took place between Mr. and Mrs. Crankum, of Slanderem Hall, near Garden Reach, not 1000 miles from the City of All asses: (City of Palaces.)

"Mr. C.—Why my love you really worry me to death, you make my life quite a burthen to me—toothless lump of spleen, I wish I was rid of you (aside.)

"Mrs. C.—That's your own vile temper Mr. Crankum. I've had my own way much too long in England to resign it now, or even have it *disputed* by you; but here are visitors coming, don't let them see that we have been quarrelling already my love, we have only been three days together my dear Crankum, after a 15 years separation, it would look so very odd, our names will be all over Calcutta.

"Enter Mrs. Gab.

"Mrs. C.—(Smiling beautifully Satanic) my dear Mrs. Gab how di do, its a very long time since I had the happiness of seeing you, you are really look-

ing as young as ever. My sweet Husband too is looking charmingly, and so stout, don't you think so?

"Mrs. G. Remarkably vell indeed; Hindy appears to hagree with him at hall events; but my dear Eliza, vat ship did you come in.

"Mrs. C. In the *Linkum Fiddelius*, Capt. Chaw the wind, a very gooda man, we were on the whole very comfortable and had it not been for a Cadet, Mr. Josephus Millerius, making love to my young Daughter, which rather annoyed me, the voyage would have been delightful.

Mrs G. A young Cadet hiindeed!! When there hare so many *Civilians*, & in hindy an Hestablishment his hevery thing?

Mrs. C. True, very true Mrs Gab. I have been long, very long separated from my dear Husband, but the education of my children Mrs. Gab, that has indeed been a task, and yet my beloved Crankum does not think them very clever.

"Mr. C. Clever! big an Ass as I am, I can see that money has been expended on them to very little purpose they are great gawkies and can scarcely write (aside) (to Mrs C.) pudon me my *darling*, I only said that I *thought* moggy did not dance so elegantly as she might have done, owing no doubt to her being cooped up in a nasty ship.

"Mrs. C. The mind, the mind my dear Mrs. Gab, the cultivation of the mind is every thing, and to that *alone* have I devoted all my time.

"Mrs. Gab, no doubt on it. Hintellect! Hintellect, his hevery thing, Mrs. Crankum, honloy give me Hintellect, as Mr. Drummer says, and I will make it hansen hevery useful porpoise; but I have several calls to make, my dear Mrs. Crankum, so good by.

"Mrs. C. Good morning my love, you are the kindest creature, my dear (to Mr. Crankum) pray hand Mrs. Gab to her Carriage. good morning— (exit Mrs. Gab.)"

"I am first cousin to the devil on two sticks, and I can only tell you that—

"This *happy* pair ere three weeks had expired.
(But the Grey mare was far the better Horse)
To it they went, and each with fury fied,
She call'd him fool, with epithets much worse
Then stamp'd and tore and shook her skinny fist
(*"My Eye! how she did sputter, foam, and Grin!"*)
Her mouth was screw'd to such a hideous twist
She look'd the image of grim death and sin.

Have I come back to India, stupid lout,
To be thus talk'd to, and my daughters by,
Am I? she scream'd—her two last stumps fell out
Then down she fell and grum! led out a sigh.

Off ran Crankum—fingers in his ears
I had but little sense before, he sadly cried,
Oh would she ne'er had come, he said with tears,
She hawk's and spits and is so dirty fied.

Before a stranger only see her smile
You'd think that butter could not melt within her
But coarse and gross, intemperately vile
And slander loves, much better than her dinner.

(Signed)

"BILL WIPEOFF."

After this, one might expect admission into the columns of the 'Bombay Gazette,' for any thing that the lowest intellect could produce. But it seems there *are* communications inferior in merit even to this (in the eye, at least, of the Bombay Editor—though it would be difficult for any one to conjecture what they could

resemble): for, in the succeeding week's paper, July 19th, he has the following announcement to correspondents: "Timothy Doggrell's poetical effusion has been received; and is, we think, replete with drollery and waggish humour; but being rather pointed *or so*, and not exactly of that *stamp* which *we patronize*, we must decline inserting it in the Gazette." If these specimens of taste and judgment be not the most favorable for the reputation of the paper for which they are selected, we can only say that they are impartially taken from the series for June and July, the latest Numbers that have reached this country, and are found in the consecutive order of dates as referred to in the text.

This, then, is the Paper which Mr. Elphinstone patronizes, in which Mr. Warden and other distinguished members of the Bombay Government hold shares! This is the Paper principally used as an engine of the East-India Company's highest functionaries, against an upright judge of the King's Court at Bombay! and these are the sort of compositions which prove the great zeal of these professing philanthropists, for the advancement of moral and intellectual refinement among our native Indian subjects! Why, there is scarcely a *purvoo* among their Hindoo clerks who would not be ashamed of such a publication.

CENTRAL INDIA.

The contents of the Native Indian Papers leave no doubt that the Punja is again the scene of military operations, and that *Runjeet Singh* has resumed his purpose of attempting to extend his dominions at the expense of the Afghans. The distressed state of that country is highly favourable to his views. The rival kings, Mahmood and Shuja, are equally fugitives, the former with his son Kamran, being in inconsiderable force at Herat, and the latter living privately within the British territory, or at least till lately. The country is divided between the sons of Fatch Khan, who are always at variance with each other, and who have no hereditary nor personal claim to the allegiance of the Afghan tribes. At the same time, religious differences, and a spirit of independence, are likely to animate the Afghans against the Sikhs, and may supply the place of a legitimate and consolidated Government. Possibly Shujah's recent departure from Loodhiana, if correctly reported, may have been the work of Runjeet Singh, whose policy it obviously is, to offer to the Afghans, a king whom they have obeyed, and to whom they were as much attached as their capricious and lawless character permitted them to be to any ruler. For re-instating him in part of his possessions, the eastern portion of Peshawer, and its dependencies, may be the price; and they will be more easily purchased, we should think, in this manner, than by a hostile collision with the whole body of the Afghans.

JAVA.

The accounts from this quarter are far from satisfactory: they vary, however, so much in their details, that it is extremely difficult to collect from the general mass a faithful summary of the whole. The following are the principal communications received, and are given in the progressive order of the dates. The first is through Singapore; under date of the 6th of July, which says:—

“Our letters from Batavia come down to the 23rd of last month. We learn from them that an action had taken place to the Eastward, between a body of Dutch troops and the insurgents, in which the former suffered severely. The date of the affair is not stated, but we believe it to have taken place close to Branbanan. The European force had two Captains and one Lieutenant killed, and amongst the wounded we regret to observe the name of Captain de Steurs, Confidential Aid-de-Camp to General de Kock, and a young officer of promising spirit and gallantry. The Javanese are represented to have exhibited a skill and determination on this occasion superior to what they had formerly shown.”

Accounts of nearly two months later have reached Holland, by arrivals direct. The following is an article, dated at the Hague, on the 12th ultimo:

“The *Zephyr*, Captain Osgood, has brought no papers, but some accounts from Java to the 16th August, from which it appears, that the measures taken to reduce the rebellious districts, and which were at first successful, had been suspended, two Javanese Princes of our party having fallen into the hands of the rebels. Many of those who had already submitted were induced to recommence hostilities, so that the tract of country in which the insurrection prevailed, was too extensive to be wholly occupied by our troops, and General de Kock had therefore resolved to confine himself to the occupation of the most important points till the arrival of the reinforcements daily expected from the Netherlands. When the letters were dispatched, two strong detachments were in the Straits of Sunda, on board the *King of the Netherlands*, and the *Jonge Adriana*, which sailed from here in April; and as ten other ships left our ports about the same time with troops, reinforcements to the amount of 1,000 men probably arrived about the end of August and beginning of September. Meantime the necessity of a powerful Javanese Government at Djocjocarta was so much felt, that it had been resolved to appoint the Sultan dethroned in 1812 by the English, to direct the affairs of the Government with, and for, his very young great grandson. Messrs. Engelhard and Muntighe were appointed to accompany the old Sultan to Djocjocarta. On the 28th July, and 4th and 11th of August, our troops were engaged with the rebels at Katjebow, Bontol, and Kalidjenkin, and had beaten them without much loss on our side; in the last action, a handful of Europeans under Major Sollewyn, repulsed the enemy led by Diponegoro, in spite of the confusion which had arisen among the Native Troops in our service. In Celebes, affairs seem to take a favourable turn through the increasing influence of our ally, Aroe Lombo.”

The following extract of another letter, from the same quarter, and brought by the same ship, has been posted at one of the mercantile coffee houses in the city, and is considered to be perfectly authentic:

“Since our last, an alarming change has taken place in the affairs of Java, in consequence of the rebel chief having gained a very considerable advantage over the Dutch troops in a most unexpected manner, which has so much encouraged the enemy, that fears were entertained he would follow up this

advantage, which, in the weak state of our forces, he certainly might do with impunity. Three hundred and fifty men, however, have arrived from the Netherlands, within a day or two, in the *Jonge Adriana*, (Java Packet) and *Netherland Koning*, which will prove a check, if they arrive soon enough at the seat of war. Vessels have also been taken up to bring back troops from the outposts. We hope to see more troops arrive soon from the Netherlands."

In consequence of this information, the attention of the Dutch Government has been called to the subject of sending out reinforcements, and accordingly accounts from the Helder, of the 6th of December announce, that the long talked of expedition to Java will speedily sail. The troops are to be carried out in the *Waterloo*, *Wassenaar*, and *Zeeun*, ships of the line. Some difficulty had occurred in getting seamen to complete their complement, but that difficulty had been got over. The *Waterloo*, *Wassenaar*, and *Zeeun*, will take out 2,800 soldiers. The rest of the expedition, consisting of a frigate and some brigs, were to sail from Flushing.

SINGAPORE.

Singapore papers to the 9th July have reached London. It is reported that the mission to Siam, under Captain Burney, has failed. A newspaper is to be established at Malacca.—The following is from the 'Singapore Chronicle' of July 6:—

"The ship *Hunter* has returned from Siam since our last. She left Bankok about the middle of May, at which time the Mission brig *Guardian* was receiving on board the presents from the Court and preparing for departure.—Captain Burney expected to leave about the end of June, so that he may be expected to arrive here very shortly. We are not aware of the result of Captain Burney's negotiations, but report says that they have entirely failed, the Siamese Court having peremptorily refused to agree to the restoration of the King of Kedah; and from the accounts from Tringann of the arrival there of a deputation from Siam, it would appear that they have no intention of relinquishing their right of interference in the affairs of the Malayan States. We hope that the Envoy has found this jealous and overbearing people less impracticable on the subject of commerce, which is of more importance to the interests of our country. The Ministers, however, seem to be aware, that by the free admission of foreigners into Siam, the enslaved people would soon learn the benefits of liberty, and the present abominable system of tyranny would be in danger, and from this arises their jealousy of Europeans."

NEW SOUTH WALES.

The intelligence from this quarter extends to the beginning of August. The prosperity of the colony continues to advance; and the cultivation of sugar, and manufacture of rum, was proceeding satisfactorily. Strong objections were urged, however, on the spot, against the operations of the Australian Agricultural Company, recently established in London, with what justice, we are hardly prepared to say. The intelligence generally received from the colony, in England, is of a nature to induce further enterprize to be directed towards that quarter of the globe; and accordingly, we find the following paragraph in a Plymouth and Devonport paper, of the past month. The writer says:—

"Emigration to New South Wales has been encouraged here by the flat-

tering accounts received from several individuals, natives of these towns, who have settled in that rising colony, and have realised handsome fortunes. Last week the ship *Elizabeth* sailed from this port with several settlers, among whom was Major Elrington, of this town, who has sold his commission, and received a grant of 2,000 acres, situate about 150 miles from Sidney, which he intends to cultivate."

Nevertheless, it is well that information of a contrary description, if it comes in an unsuspected form, should be also submitted to the public eye. We accordingly transcribe from the 'Australian,' a paper published in New South Wales, under the date of Sidney, July 26, 1826, the following strictures on the affairs of the Agricultural Company, written on the spot, and open, of course, to refutation if found inaccurate:—

"The Directory of the Australian Agricultural Company have had little to record in the deeds of their mighty establishment during the year 1825. So little that when their annual report reached us, we did not think it worthy of publicity through our columns. Next January the case will be different—they will have to recount the great deeds of the Colonial Committee—they will have to dilate on the accomplished hoaxes that have been played off—the delusions that have been practised on the unthinking Colonists—they will have to describe how they advertised two thousand pounds' worth of bills on England as a small venture, at a time when exchange was higher than ever known in the Colony, previous to their advertisement, or than probably will ever again be known, as long as New South Wales exists as a Colony—they will have to chuckle at thus profiting in a small way, of the embarrassments of the Colony—they will have to pass a vote of thanks to their distant agents for their ingenuity in cajoling the Colonial Government out of the best mechanics Port Macquarie could produce, at a time when the business, and the works and the projects of every man in the Colony were at a stand-still for want of the same description of men these agents carried off by ship loads at a time, to Port Steven—they will have to exult at the dexterity of the same agents, in draining the Colony of the best portion of its breeding stock, by just stepping in with tempting offers, and tempting prices, at the period when trade was stagnant, when the poor farmers were labouring under a temporary embarrassment, and when ready money happened to be scarce among every class, and amongst all persons except those possessed of the two or three pound advances on the Australian Agricultural Company's shares—they will really have so many subjects to congratulate the mass of proprietors on, at their next annual meeting, that in place of having to draw up a report, occupying six pages of a small pamphlet, we may expect to see a large octavo volume, containing not merely a statement, in general terms, "that every thing connected with the Company has continued to proceed in the most satisfactory manner;" "that dispatches have been received" by two ships, of the safe arrival of two ships, containing a few paltry sheep, "that measures had been arranged" for "commencing the survey of parts of the Colony," "that these surveys were expected to occupy about three months," that economy was the ruling principle in the management of their affairs, that they had been more lucky in their purchases than private individuals, that "they have no reason to apprehend any difficulties in the acquisition in the Colony of such numbers (of sheep, &c.) as it may seem desirable for them to obtain," and lastly, that a steam engine is about to be forwarded to the Colony, to be used in working the coal mines; we shall expect to see not a general detail like the above—the last report; but minute particulars of the flourishing condition of the Company, of the increased stock of the Company, not imported, but purchased, just when hard times compelled the poor to look around for a little temporary assistance, and to accept this assistance from the Company, at the cost of lasting depression, and by the ruin of themselves individually, and to the injury of the Colony generally. They will have plenty of topics for exultation; they will

have to show that the best brood mares are in the possession of the Company; the best merinoes have been sold to them; the best horned cattle are grazing on their million acres; the best mechanics are employed by them—all these advantages being obtained, through the misfortunes of the Colony, and by an undue preference being given to the Company.

“The encroachments of the Company should have been resisted by the people from the moment of the publication of the Act which incorporated them. Public meetings ought to have been called to get them disfranchised, if practicable, or at least, to render their movements as inoffensive as possible. Petition after petition should have been dispatched to England, in order to beseech the British Ministry to limit, instead of enlarging the powers of the Company, and to restrain them, at least, within their first boundaries, if they could not without breach of faith disfranchise them, instead of bountifully, yet injudiciously, lavishing favour upon favour, and acceding to encroachment upon encroachment. The Colonists ought severally and unitedly to have resisted the Company within the Colony. In a body they ought to have shown to the Colonial Government, in spite of orders from home, that every indulgence granted to the Company was an act of injustice committed against themselves, and the abstraction of useful mechanics was most of all injurious at the present period; and the Colonists would have most surely consulted their own welfare and their own interests, both present and future, had they never been seduced into the folly of selling to the Company the pick of their stock, the flower of their brood-mares, and the finest of their merinoes.

“We have, as yet, said but little about surrendering the coal mines, on a long lease of thirty-one years to this Company. The energies of the Colonists, had they been exerted opportunely, would certainly have prevented this sacrifice of the colonial interests. Who, it will be argued, could have foreseen that an agricultural company, obtaining a charter of incorporation, professedly, and under the pretence of becoming feeders of sheep and wool growers, would convert themselves into miners and coal dealers? We answer, every body might have suspected the worst, from those who were the chief promoters of the original scheme.”

PACIFIC ISLANDS.

Letters from Rio Janeiro state, that information has been received there of the *Blossom* frigate having touched at Pitcairn's island, in the South Sea, where, some few years since, the mutineers of the *Bounty* had found a retreat. Old Adams, the last survivor of these unfortunate individuals, was living, and in tolerable good health. The population had so much increased, that the scarcity of wood for fuel, and other purposes, was beginning to be felt, and fears were entertained of a greater diminution of this valuable article from the increasing number of dwellings necessary for the inhabitants. It is added, that Adams wished for some of his community to be removed to New Holland, many expressing their desire for such a proceeding.

CAPE OF GOOD HOPE.

We have received papers and letters from this Colony up to the 25th October; and we regret to perceive that the calamities, both physical and political, by which it has been for so many years afflicted, are yet far from being entirely removed. The crops of last year were so deficient that a great scarcity of bread prevails throughout the interior districts; and many of the corn farmers

had petitioned (though it seems ineffectually) for a supply of seed wheat from Government. The young crops (just getting into corn at the date of our advices) are in many places affected by *rust*, and on the northern frontier also ravaged by swarms of locusts. The inhabitants are absolutely unable to pay their taxes, yet in place of being relieved by the Government, have been burdened by new ones. The rates of postage too have been increased throughout the Colony, and newspapers, which had hitherto been transmitted free of charge and unstamped, are now saddled both with stamps and postage—with the exception of the *Government Gazette*, which by this manœuvre is enabled to secure almost a total monopoly of the mercantile and other advertisements, &c.

These however are but slight matters, compared with many other grievances which Lord Charles Somerset's twelve years' administration has entailed on this unfortunate settlement. The depreciation of the currency by extravagant issues of paper in direct contravention of solemn public engagements; the sudden settlement by the Home Government of the exchange at the depreciated rate; the effect of the numerous monopolies and restrictions both upon the internal and export trade of the Colony; the enormous burthens imposed to raise money to support a lavish expenditure on country houses, marine villas, salaries and allowances for parasites and pet functionaries,—Government farms for breeding race horses, and above all, on that most useless and expensive of all Colonial corps the Cape Regiment—these are but a sample of the *blessings* which Lord Charles has bequeathed to the Cape—and from which long years of painful and persevering retrenchment will scarcely relieve it.

The impoverished condition of the Colony—the expediency for farther retrenchment—and the urgent necessity for the inhabitants to come forward to petition Parliament for redress and relief—are topics ably treated in many numbers of Mr. Greig's 'Advertiser;' but none of which our present limits permit us to quote. We have repeatedly mentioned the distinguished talent and independent spirit with which this Journal is conducted. These qualities occasioned its suppression by Lord Charles in 1824—and, if we may credit the assertions of a rival Cape Journal (the 'Chronicle,' a hireling of the house of Somerset) the 'Advertiser's' boldness in the exposure of abuses, is again likely to endanger its existence. The Editor it appears is guilty of letting in too much light upon these "dark places of the earth." He is making the ignorant and apathetical Dutch boors "politicians." They are absolutely beginning to believe that they have certain civil rights as free British subjects. They are beginning to discuss the propriety of representing their grievances to Parliament. They have become readers of newspapers. In 1823, they were content with the 'Cape Government Gazette,' described even by the "Civil Servant" as the very æ

plus ultra of wretched inanity. Messrs. Greig, Pringle, and Fairbairn commenced their respective Journals in 1824; and in spite of their almost immediate suppression by the Colonial Government, and the rancorous persecution to which those individuals were exposed, they taught the Colonists to *read*--and some are even beginning, it seems, to *think*. There are now published in Cape Town, besides the 'Government Gazette,' three Newspapers and a Magazine. Two of the Newspapers, the 'Advertiser' and 'Chronicle' are printed both in Dutch and English; the Magazine, and one Newspaper (the *Kaapsche Courant* or *Verzamelaar*) are printed in Dutch only. Yet this is the place where, in 1823, Lord Charles Somerset assured Mr. Greig that a Weekly Newspaper could not possibly find readers, and therefore out of a "friendly regard for his welfare" strongly urged him rather to try his fortune at the Mauritius!

Had a free press existed at the Cape during the last twelve years, would the enormous abuses have existed which now crush the settlement to the dust? and if so, will Government--will Parliament again permit this "terror to evil doers and praise to them that do well"--to be again suppressed or shackled? We would fain hope that the present session of Parliament, if not the Report of the Commissioners of Inquiry, will secure a better destiny for the Cape of Good Hope.

In the House of Commons, Mr. Hume, on the 7th inst., brought forward a motion for the production of certain papers relative to numerous complaints from the Cape Colony, but withdrew it on obtaining a promise from Mr. Horton that the whole of the Commissioners' Report would be ready in a few weeks, and that if any strong case were brought forward, the papers connected with it should not be refused by Ministers. With this understanding the subject at present rests.

Accounts from the Cape of Good Hope to the 20th of September, give a strange and confused account respecting the *Marquis of Hastings* East Indiaman, which put into that place for supplies. It is mentioned that Mr. Martin, the second, and the chief officer Row, had been put under arrest for alleged improper conduct; that on the 8th September the ship was discovered to be on fire (in the store-room); the officers, after it had been put out, mentioned to Captain W. Ostler, that the fire must have been occasioned by some evil-disposed person on board. The Captain is represented to have been in a state of great agitation afterwards, and being missing next morning, was supposed to have thrown himself from the cabin window; the following scroll was left--"A bad crew, and bad officers, is the destruction of W. Ostler." According to the accounts, which are of course made by gentlemen who conceive themselves to have been ill used, the Captain destroyed himself in a fit of insanity.

PERSIA.

The war on the northern frontiers of Persia, is probably by this time at an end. The success of the Russians, in any contest in which they might engage with the Persians, could never be a matter of doubt to any one who knows the character and resources of the two nations. Whether the Russians will follow up their victories, by extending their territorial possessions in the direction of Persia, remains to be seen. If they desired it, nothing would be more easy than for them to effect the entire subjugation of Persia in a few campaigns; but the time for this, though we doubt not it will ultimately come, does not seem to be yet arrived. The latest intelligence from Persia came (by an overland dispatch) from Tabreez, dated October 3, 1826; and this stated, that a division of the Persian army, detached by his Highness the Prince Regent, under the command of his eldest son, Mahomed Meerza, and his uncle, Ameer Khan, was defeated, with severe loss, on the 26th September, near the village of Shamkhar, in the north-west of Georgia. The battle was fought on the banks of the Yezan, a second stream of which divided the contending armies. The Russian force amounted to about 6,000 infantry and 3,000 cavalry, with a proportionate number of guns; that of the Persians to 5,000 infantry and 5,000 irregular horse, with six field pieces. After some hard fighting, the Persians were compelled to retire in the utmost confusion; and it is supposed that nearly the whole of their infantry were either killed or taken prisoners. Three field-pieces fell into the hands of the Russians, and Ameer Khan was killed by a Cossack, when in the act of rallying his troops. The young Prince, Mahomed Meerza, was taken prisoner by a Cossack, but was afterwards rescued, and borne away in triumph, by one of his surdars.

The proclamations and appeals put forth by rulers to their people, at the commencement of all wars, are in spirit, if not in substance, the same. The proclaiming party are sure to be in the right, according to *their own* account of the matter; and their "aggressors," for so the opposition party are always sure to be called, entirely in the wrong. It sometimes happens, of course, that this is true: but in every case in which two opposing parties each call the other the "base and faithless violaters of treaties, and the cruel and perfidious disturbers of the peace of their neighbours," (and in every war, such is the natural recrimination of the belligerents), it is clear that only one party can be right and that the other *must* be wrong. The Persians, in their national appeals, no doubt make it appear clearly that the Russians were in fault. Their proclamations, however, are not *Gazetted*, and therefore do not reach European ears. The Russians, on the other hand, make it as clear that the Persians were to blame; and, this being printed, becomes known to all the world. The learned Judges of

England have recently determined, that it is unlawful to publish police reports, because they are *ex-parte*, and give only one side of a case (though whatever the accused has to say in his defence, is heard and printed as part of such reports). No one complains, however, of *ex-parte* proceedings, when one nation is heard by its proclamations, and another is silent: nor does any one suspend his judgment on the points at issue, because of the insufficiency of evidence. In the case of the Burmese, and indeed of all Indian wars, for instance, it is the proclamations and accounts, which the East-India Company give of these transactions that alone come into our possession: and, upon these, without the Native powers being heard in defence or reply (though, no doubt, *their* account of the case would be very different from our own), an impartial verdict is pretended to be given, and votes of praise or censure passed on the parties opposed in the contest. Of the nature and character of such *ex-parte* document, generally, the following proclamation of the Russian general, Vernoloff, who commanded at Teflis, dated August 22 (N.S.), and addressed to all the inhabitants of Georgia, may serve as a specimen, and is therefore, perhaps, worth recording:

"The Persians, or, more properly speaking, the Kisilbashians, who have been long known to the inhabitants of Georgia by their hostile dispositions and base insolence, have unexpectedly entered our territory with their forces. Fully convinced that our great monarch, like ourselves, his faithful subjects, maintains inviolate the rights of the peace concluded with them thirteen years ago, we did not think the hostilities which they have so shamefully begun, possible at a time when our ambassador is still among them. I think it unnecessary to give you here a detailed character of the Persians. You, Georgians, are perfectly well acquainted with them. But I must not conceal from you, that they have been able to gain over a part of their Tartar brethren; that they promise their troops all the property of the Georgians as their booty, which in former times they carried into effect in so barbarous a manner; but they have already forgotten that the Georgians, inspired by love of their true religion, and attachment to their country, drove them back into the frontiers of Persia, with a handful of militia, and thus in earlier times, when the powerful hand of the Emperor Alexander did not yet protect them. You know, then, in the midst of most profound peace and tranquillity, the Persians have attacked our troops, ravaged the open country of Schirager, and carried off captive the percieable inhabitants, who, confiding in the existing friendly relations between the two sovereigns, lived, without any apprehension, close to the frontiers of Persia. Persian troops advanced at the same time into the frontiers of Karabash. The absurd reports which were spread that the Russian troops were employed in quelling disturbances in the interior, and a certain Seid Mulla, seduced by the presents of the grandees of Persia, have caused this war to be undertaken, though General Prince Menzikoff, in whom his Imperial Majesty has particular confidence, was in Persia to regulate the demarcation, and has been invited for that purpose to Sultanich by the Schah himself. I know that the Persians are infamous enough to employ all kinds of seduction and lies; be prudent, and do not suffer yourselves to be misled. You will be invited to flight; to treason; then you will be removed into the interior of Persia far from your home. Ask the Demurtcheshalzes, they will tell you that many of them have returned from Coragan, whither they had been sent. What advantages will the Persians offer you? Will they give you better land than that you cultivate here, while they themselves live in many places on a barren soil and in

a state of poverty? It is a melancholy existence that awaits traitors and deserters, for whither can they fly when the Russian troops enter the enemy's territory? Remain faithful to your great emperor, rally against your enemies, defend your families and your property, and you will laugh at the credulous minds of those who shall trust to the perfidious lies of the Persians."

The Persian reply to this would be worth seeing; but that, as we before observed, is not accessible to us; the great curse of printing presses, and the poisonous influence of free discussion, now having yet reached this enviably happy country; its rulers, with the wisdom that characterises their English neighbours in India, being determined, no doubt, to prevent this pernicious evil as long as possible, from disturbing the happiness of their contented population.

INCIDENTS AND EVENTS IN EUROPE CONNECTED WITH THE EASTERN WORLD.

INDIA HOUSE DEBATES.

THE proceedings at the East India House, during the past month, are given at great length in the reports of the debates which have been held there on the several subjects made matter of discussion among the Proprietors: and on the facts and opinions therein developed, we have offered, in various notes on the text, such brief comments as a hurried perusal of the speeches as they passed through our hands, after coming from those of the reporters, enabled us to give. We confine ourselves, in this place, therefore, to the record of such incidents as are not there adverted to, promising, however, that except the contests for Directorships, the proceedings in Parliament, and the speeches at the Court of Proprietors, there are few events connected with the Eastern world, which, from one end of the year to the other, arise to disturb the tranquillity of the times.

HONOURS TO LORDS AMHERST AND COMBERMERE.

The following official announcement, dated Whitehall, December 2, 1826, will show, in addition to the thousand other instances that have occurred in every age and country, the slight connection that exists between merit and reward; and how much more powerful is the interest of high connections, and the virtue of political subserviency, than any other claims, to secure the honours which Courts have to bestow:

WHITEHALL, DEC. 2, 1826 — "The King has been pleased to direct letters patent to be passed, granting the dignities of Viscount and Earl of the United Kingdom to William Pitt Baron Amherst, Governor-General of India, by the

titles of Viscount Holmesdale, in the county of Kent, and Earl Amherst, of Amherst, in the East-Indies.

"Also to direct letters patent to be passed, granting the dignity of Viscount of the United Kingdom of Great Britain and Ireland to Stapleton Baron Combermere, by the title of Viscount Combermere, of Combermere, in the county palatine of Chester."

BURMESE STATE CARRIAGE.

The Burmese war being finished, and the projector of it rewarded with honours from his sovereign, and thanks from his masters, the interest respecting that country, and the events connected with it, begin to decline. Accordingly, among other announcements of the month, we have noticed the following.

"**SALE OF THE BURMESE IMPERIAL STATE CARRIAGE.**—This splendid specimen of eastern magnificence was sold by auction yesterday, (Dec. 18,) at the Exhibition-room, Egyptian Hall Piccadilly. It was exhibited at 1s. admittance the last season, and persons going to the auction yesterday were not, it is true, charged admission money, but before they were let into the room they had to purchase a catalogue. Mr. Robins, who presided at the sale, described the carriage in the terms of the catalogue. He estimated its original cost at a lack of rupees; the number of stones set in it amounted to twenty thousand; but he was not authorised to vouch for them as being precious. After a good deal of preliminary puffing, the first bidding he obtained was 100 guineas, on which it slowly advanced, and was ultimately knocked down for 1,000 guineas, to a gentleman whose name we did not learn. The throne of the Burmese Monarch was bought by the same purchaser for fifty guineas. These accompaniments of imperial grandeur were captured by Lieutenant Colonel Miles, K.C.B. during the late Burmese war, according to the statement of the catalogue, corroborated by the auctioneer."

Some doubts were originally entertained as to whether this was really a state carriage of the Burmese, or whether it was manufactured in London. We have reason to believe, however, that it was really the carriage of a native of rank, brought from the coast of Ava to Bengal, and from thence to England, by certain speculators, who hoped to realize some profit on its exhibition; but who have, we hear, on the contrary, sustained a considerable loss.

BISHOP OF CALCUTTA.

On the 6th of December, a numerous meeting of the friends and supporters of the Society for the Promotion of Christian Knowledge was held at the Society's office in Lincoln's-inn-fields, for the purpose of receiving the report of the standing committee, and of considering what steps it might be necessary for the Society to take in consequence of the lamented death of the late Bishop of Calcutta. The Chair was taken shortly after one o'clock by the Lord Archbishop of Canterbury, supported by the Bishops of London, Bath and Wells, Durham, and Llandaff. The Secretary read the resolutions framed by the standing committee, and recommended by them to the Society's adoption. They were in substance as follow:

1. "That the Society deeply deplore the death of the departed Bishop Heber, both for his valuable services to the cause of Christianity in the

Indian Divan under his care, and for his unwearied and primitive zeal, and as a prelate of the Church of England, of which he was one of the highest ornaments.

2. "That his loss was aggravated, by taking place at a time when his services were likely to be so valuable in Southern India.

3. "That the best tribute which can be paid to his memory is, the carrying into effect the measures he recommended as it were with his last breath.

4. "That 5,000*l.* be expended by the Society in the establishment of two scholarships for Native Missionaries in Bishop's College, to be for ever called Bishop Heber's Scholarships.

5. "That 2,000*l.* be expended in repairing the Church at Tanjore, and other Churches and School-houses in Southern India.

6. "That a sum of 500*l.* be laid out in enlarging and supporting the Native School Press."

These Resolutions were then put from the Chair, and carried *nem. dis.*

It was then resolved, That the Chairman should present a memorial to Government, for the appointment in future of three Bishops, one for each of the Presidencies of India; and that a memorial to that effect should be laid before the East India Board of Directors.

The successor to the late Bishop of Calcutta has not, we believe, (says the '*Globe*;) yet been determined upon—at all events his name has not been officially announced, although speculation has, as usual, been busy on the subject, and both Mr. Le Bas and Mr. F. Bayley have been mentioned as likely to succeed to the see. In the mean time, to settle the matter comfortably, the clergy generally are desirous that the diocese should be divided into three portions, and that a distinct prelate should be appointed at each of the Presidencies; the reasons for which arrangement are very satisfactory to those who assign them. In the first place, the labour at present is immense, and the two Bishops already appointed have, they say, sunk under it—Bishop Middleton died immediately after his visitation, and Bishop Heber during its progress. Secondly, by the present system a Bishop must always be consecrated in England—the diocese is so much the longer without a head; whereas, if there were three, the other two might consecrate in India—an arrangement which would also open the door to the advancement of the resident clergy, who are now excluded from rising higher than to an Archdeaconry, as Ministers would never think of bringing one of them to Europe for consecration. The measure would, of course, be highly popular with *them*. It seems thus to be proved, that if one Bishop is necessary, *three* are indispensable:—indeed *four* would be better, to guard against accidents. In spite of all this, however, we doubt whether the Company will not extremely grudge any addition to the burthen upon their finances, which, thanks to the Burmese war, are sufficiently loaded.

THE MARQUIS OF HASTINGS.

The death of this distinguished individual has, from its being unexpected, and from other circumstances attending its announcement, excited a melancholy interest in Indian circles. It is known to most persons who were personally acquainted with his Lordship in India, that he suffered greatly during his residence there from an affliction which at one time was thought to render his return to England necessary, for the purpose of undergoing a surgical operation. Increasing age, and the painful humiliations and vexations with which his mind must have been harassed by the neglect and ingratitude evinced towards him since his return home, are likely to have aggravated all the symptoms of this already afflictive visitation. Under these circumstances, the slightest accident would be sufficient to produce irreparable mischief: and accordingly having fallen from his horse during one of his ordinary rides at Malta, the injury he received by the fall was such as to confine him at once to his bed, and very shortly to accelerate his death. The following account of his removal from Malta to Naples, in the last stage, as it were, of existence, is from a letter dated at Naples on the 29th of November: and we give it in the language of the writer himself:

“ Arrangements having been made on board the *Revenge* for receiving the Marquis of Hastings and family on board, by the officers giving up the ward-room and the cabins in it, he was, on the 20th, brought down from the palace at Malta to the shore in a sofa arranged for that purpose, and put into the Admiral's barge, and towed alongside, to prevent the noise of the oars in the boat in which he was; he was hoisted in and carried to the cabin in the ward-room safely, and at day-light next morning the *Revenge* went to sea: he was in such a weak state, when brought on board, that it was quite wonderful his surviving one hour after the other. He was removed from Malta quite against the opinion of all the medical men. The ship had fortunately a very quick and very quiet passage, being only three days; but, on the arrival of the *Revenge*, he was so ill that it was impossible to move him; therefore, the ship remained at Baia Bay, to take advantage of the smooth water, the Admiral, as usual, doing every thing he could, and putting himself to many inconveniences. The Marquis lingered in the most melancholy state, showing the greatest firmness and resignation I ever heard of; and on the 23d, at about eleven at night, he breathed his last, surrounded by his unhappy wife and four daughters. His son is not here, but is expected every hour. So well was he convinced that his time was close at hand, that he took leave of his children several days before his death, and told his medical men not to give him any thing to prevent the event taking place at once, as he was quite sure nothing would save him.”

It is stated in another letter from an officer of the *Revenge*, dated from on board that ship, that the late Marquis of Hastings, in a letter found amongst his papers after his death, requested that, on his decease, his right hand might be cut off, and preserved until the death of the Marchioness, when it was to be interred in the same coffin with her ladyship! In pursuance of his direction, the hand has been amputated.

His remains were, in conformity with his expressed wishes, con-

veyed in his Majesty's ship *Ariadne*, Capt. Fitzclarence, from Naples to Malta, there to be interred, the Marchioness and her children intending to remain some time at Naples.

Of the public character of the Marquis of Hastings it must be quite superfluous at this period to repeat our opinion. No man has stood more prominently before the world than himself; no man's career has been examined with closer scrutiny, or marked with greater differences of opinion respecting his merits and defects. There are many acts of his life on which that difference of opinion still prevails: nor on these is unanimity ever likely to be attainable. Of his India administration, which is that we best know, and most deeply interests the class to whom we address ourselves, it may safely be pronounced to have been one of the most brilliant and beneficial to India that was ever conducted by any of the various individuals sent out to rule the destinies of that vast and distant empire. His military operations were all masterly and successful, his wars not objects of choice, but justified by the duty he owed to those placed under his protection: his financial measures were more productive without being more oppressive than those of his predecessors: and his views and intentions towards the general improvement of India, large and benevolent.

His deficiencies were, however, these: He did nothing to reform the administration of justice,—nothing to abolish the horrid practice of human sacrifices, and burning widows alive,—nothing to promote the colonization of India,—nothing to elevate the condition either of the Native or Indo-British races, from the degraded scale in which the Company's policy has placed them; though he *had* it in his power, by a very little exertion, to effect them all. He was favourably disposed towards the spread of education; and *professed* very loudly his attachment to the freedom of discussion. But, though there is every reason to believe that he was at the time sincere in both; yet he was weak enough to suffer evil counsellors to gain his ears, and the poison of their insinuations paralyzing his judgment, and blinding his understanding, he acted in such entire opposition to his professions, that when he resigned his government in India, he had so fallen from the height of his recently preceding popularity, that he had only a few personal admirers and adherents left; the friends of absolute power hating him for his avowed attachment to freedom: and the friends of liberty despising him because his actions were at complete variance with his professions. Never, indeed, was there a more complete illustration of the insufficiency of any thing short of firmness and integrity of principle to obtain lasting respect for man, than in the case of the Marquis of Hastings. He had qualities, which, well directed, would have secured for him the admiration of the world. He professed certain principles, on the strength of which he obtained vast popularity, and even strong and sincere attachments.

But when he showed, by his subsequent conduct, either that his professions were insincere, or that he had not the moral courage to act up to and defend them at all hazards, the friends which his supposed integrity of principle had originally won for him now deserted him, as unworthy of their future regard: their attachment was to an individual whom they believed to be what he represented himself, the friend of freedom as the birthright of his fellow-countrymen: but when they discovered that he was *not* the individual they had supposed him to be, then affection was changed to sorrow, and the bond of their union was sundered for ever. Such ought to be the issue: and we trust the living will read a lesson in this history of the dead.

In private and personal accomplishments and qualifications, Lord Hastings was excelled by few. His thoughts and conversation were marked by great dignity and elegance; his manners were full of the most winning grace and affability. Almost all his weaknesses, indeed, sprung from an excess of desire to please those by whom at the moment he happened to be surrounded or importuned. He had not the firmness to deny a suitor, even when his request was unreasonable or unjust: in consequence of which he was continually counteracting, by yielding to the influence of others, the good that had originally emanated from himself: and making pledges and promises so utterly incompatible, that the least reflection would have shown him they could never be redeemed or performed. In his domestic and social relationships, he was warm and faithful to the last; a devotedly attached husband; a fond father; and a cordial and constant friend.

We are glad to observe that Sir Charles Forbes has reminded the East-India Directors of what they and the other proprietors, of India Stock, especially, owe to the memory of the deceased. As the Governor-General of India has towered above his compeers, in almost immeasurable superiority, and we can conscientiously say, that if Clive and Warren Hastings deserved a statue in the niches of the India-House debating room—and if Mr. Adam deserved the commendations of the court, within a few hours after the intelligence of his death reached England, Lord Hastings's claim to both is as superior to that of either, as the degree in which he surpassed them all in the possession of those great and exalted qualifications, as a soldier and a statesman, which cast his weaknesses far into the shade. The conduct of one of the former was marked by deeds of faithlessness and cruelty; of another by acts of rapacity and fraud; and of another, by tyranny and persecution towards those who merely differed from him in opinion. Lord Hastings's career was stained by no such crimes as these. His great fault, in the eyes of the Directors, was, that he dared to think for himself, and refused a slavish obedience to their orders when they were unjust or impolitic: his weakness, in the eyes of those

who would otherwise still have admired him, was the inconstancy and vacillation which marked his professions and his practice, when great principles were at stake : but he was neither a cruel, a rapacious, nor a tyrannical ruler, over the natives of Hindoostan ; nor was he an unrelenting persecutor of his own countrymen in that land. Here, at least, his public merits far outweighed his defects : and, as a Governor-General of India, we sincerely believe him to have been superior to all with whom he can be compared. And how have the Directors requited his great services and brilliant administration ?—They refused him even the ordinary grant to which the most imbecile of their Governors-General are by usage considered to be entitled ; they refused him their thanks and approbation on his retirement from office : they supported his accusers and calumniators, and assisted them in their endeavours to charge him with fraudulent and corrupt connivances at the unjust enriching of his favorites and dependants : and yet, when, after the severest scrutiny, he came out of the furnace like tried gold, more pure and refined—they still suffered him to pine in neglect ; and rather than retrace their steps by re-appointing him to India at a moment when all but their own voices were clamorous for his return, they saw him end his days in poverty, in exile, and in comparative obscurity.

We trust, however, that there will be found sufficient honesty and spirit among the Proprietors of India Stock to perform the duty which the Directors have so shamefully neglected ; and this, too, in a manner to convince the world that virtue and gratitude are not utterly extinct among them, as well as to prove that the power which they profess to have, of controlling the acts of their servants, whom they place in the Direction, is not an empty boast.

SONNET.—SPRING.

By D. L. Richardson.

THE brightly-beaming Spring at length is seen
 On glad Creation's throne. The infant year
 Hath burst the barriers time and tempest rear ;
 And clad in glittering beauty, smiles serene
 The quick-reviving earth ! Though long hath been
 The trance of Nature on the naked bier,
 Where ruthless Winter mocked her slumbers drear,
 And rent with iron hand her robes of green,
 The fearful spell is broken ! Glossy trees,
 Resplendent meads, and variegated flowers,
 Gleam in the sun, and tremble in the breeze !
 With rapture-kindling eye the poet sees
 Fair shapes of pleasure haunt romantic bowers,
 And laughing streamlets chase the flying hours !

DEBATE AT THE EAST INDIA HOUSE.

East India House, Dec. 13, 1826.

A GENERAL COURT of Proprietors of East India Stock was this day *spe- cially* summoned, for the purpose of taking into consideration certain papers received from India respecting the late war with Ava, and the operations against Bhurtpoor, together with resolutions of thanks adopted by the Court of Directors.

The CHAIRMAN (Sir G. A. Robinson) was proceeding to open the business of the day, when

The Hon. LEICESTER STANHOPE rose and said—I wish, Sir, before we proceed to consider the subject which we are assembled to discuss, to put a question to you. I understand that it has been officially stated by Captain Amherst, that Lord Amherst has been recalled from his Government, and I now ask, whether there is any truth in that rumour, and whether the Duke of Buckingham is about to proceed to British India in Lord Amherst's place?

The CHAIRMAN.—There is no foundation whatever for the statement of the recal of Lord Amherst, and that, of course, constitutes an answer to the other question of the Hon. Proprietor. (1)

(1) It is necessary to make a few remarks on this answer of the Chairman to Colonel Stanhope's question. The question was, "Has Lord Amherst been recalled?" And the answer is, "There is *no foundation whatever* for the statement of the recal of Lord Amherst." To say that this is an evasive answer, would but imperfectly express its character. It is not merely evasive, but worse; since, without directly impugning the authenticity of Captain Amherst's statement, in his letter to Mr. Trower, respecting his father's intended removal it goes to make an impression that there is *no foundation whatever* even for that statement, any more than for Colonel Stanhope's, since the one is the basis of the other; and if the answer of Sir George Robinson be interpreted according to its obvious purport, it would imply that no intimation was ever given to Lord Amherst of his intended recal; that the pretended letter of his son was a mere fiction; and that the whole community of India were labouring under an entire misconception, when the fact of this intended recal was universally credited amongst them; for all these are implied in the answer of the Chairman, that "there is *no foundation whatever* for the statement of the recal of Lord Amherst."

In opposition to this assertion, notwithstanding the high authority from which it comes, we contend that there *is* a foundation, and one which no sophistry or evasion of the Chairman can destroy, for the statement made. The proofs are these; and it will be seen that they are no slight ones: About the period at which the letter of Captain Amherst to Mr. Trower was dated, namely, in March 1816, not only were innumerable copies of this letter itself,* announcing to the Indian public the fact of the Governor-General's recal, circulated freely over every part of India, but several copies of it were transmitted through different channels to England. Nay, we have heard, and we sincerely believe the fact, that the *original* of the very letter in question has been seen at the India House, and is probably still there, though not among the records open to the Proprietors' inspection. Besides this, the Public Papers of Bengal, printed under the very eyes of Lord Amherst, not only proclaimed the fact to all India, but commented on it, in something like

* For this 'Letter,' see the 'Oriental Herald' for October. Vol. IX. p. 230.

THANKS TO LORD AMHERST, &c.

After some routine business of no public interest had been gone through—

The CHAIRMAN stated that this Court was specially summoned in order that there might be laid before the Proprietors certain papers received from India concerning the late war with Ava, and the siege of Bhurtpoor, which had been open at the East India House, for the inspection of the Proprietors, since the 29th of November. The resolutions relative to the war with Ava should be immediately read, after which it would be his duty to submit them to the Court for their consideration.

Dr. GILCHRIST.—I am desirous, before the discussion commences, to ask a question of some importance. Let it be understood, that I do not mean, in putting that question, to reflect on the allowance granted to Captain Michael, Mahratta interpreter, whose services no doubt deserve it. What I desire to learn is, whether official papers, written in the Oriental languages, and sent home to this house from India, are accompanied with an English translation, or whether the originals are transmitted for translation here?

The CHAIRMAN answered, that he must refer the hon. Proprietor for an answer to the Carnatic Commissioners, because the papers came home to them.

Dr. GILCHRIST said, he spoke not of any particular set of papers, but of official papers in general. Did they come to this house translated, or did they not?

The CHAIRMAN answered, that the Court knew nothing of papers such as the hon. Proprietor had alluded to. They had, indeed, recently received a despatch from the Persian prime minister, which was accompanied with a translation.

Mr. HUMF.—I believe my hon. Friend's question is not properly understood. He alludes to the correspondence, carried on in the Native languages,

the strain of Captain Amherst's letter, with slight variations, it is true, in their opinions of the matter, but none whatever as to the authenticity of the fact. Is it probable—nay, is it even possible, that this open proclamation of a recal, so unpalatable to a Governor-General of India, should take place in his own capital, and be traced to the authority of his son, in a letter to one of the most distinguished of his courtiers. (for Mr. Trower *has* enjoyed, and, no doubt, always *will* enjoy this distinction, be the ruling Governor who he may,) without a doubt being ever uttered on the subject even in the Gazettes of authority? The thing is incredible; and, indeed, it may be taken as indisputable, that if any paper in India were to dare to announce the Governor-General's recal, in consequence of the displeasure of the Court of Directors, without that event being founded in fact, its Editor would, on the same day, have a letter, from the Chief-Secretary to Government, which would soon convince him of his error.

It must have been known to Sir George Robinson himself, as well as to all his colleagues in office by whom he was supported within the bar of the India House Court, that there *was* a foundation for the statement contained in Captain Amherst's letter to Mr. Trower, and in the corresponding and corroborating testimony of the Bengal Papers about the same period; and we, therefore, consider the delusive answer of the one, and the acquiescing silence of the other, to be most discreditable to the whole body. How much more dignified would it have been for the Chairman to have stated the real truth of the case, by saying, 'That, no doubt, there was a period at which some intention was entertained, by some of the members of the Direction, to propose the recal of Lord Amherst; and that the Duke of Buckingham was at the same time thought of as a proper person to be substituted in his place; and that the displeasure of the Court at Lord Amherst's conduct, in the three particulars adverted to by Captain Amherst in his letter to Mr.

between different Native courts and the British court; and he wishes to know, whether the original documents, in the Native languages, were translated abroad, or were sent home to be translated in England?

The CHAIRMAN answered, that translations of such papers, and not the originals, were sent to the Court of Directors.

Dr. GILCHRIST.—In consequence of the answer I have received, I shall take the liberty of going a little farther. We have been informed that translations alone of official documents are received here. How then has it happened, contrary to this rule, that Mahratta papers in the original languages, are sent home, and that a gentleman has been engaged to translate them? Much inconvenience may arise from this plan—because, when the labours of the Tanjore Commissioners are drawing to a close, some difficulty may arise with respect to certain phrases or expressions in the language, which would render it necessary to send out to India to have them properly explained, and much delay and expense must be the inevitable consequence. All this inconvenience would be avoided, if the papers were translated in India, and sent home in that shape to this country.

The CHAIRMAN.—I beg leave to state to the hon. Proprietor the distinction between the papers which are ordinarily sent home from India, and those which come under the consideration of the Carnatic or Tanjore commissioners. It is the business of those commissioners to decide on the validity of the claims of certain individuals; and, to enable them to discharge that duty, it is necessary that the original papers should be transmitted to them for examination. Such is the course adopted here. The commissioners abroad send home the originals to the commissioners in this country; and it is evident that the latter must require a skilful person to translate them, in order that they may thoroughly investigate the validity and consistency of the different instruments purporting to be securities for money.

Dr. GILCHRIST.—I cannot take that view of the question. If papers were

‘Trower, was undoubtedly expressed; that his *intended* recal, if it were not actually and officially resolved upon, was at least communicated to him when these grounds of complaint were made, and that Lord Amherst, with a precipitation not dictated by the greatest prudence, did, no doubt, announce to the Indian public, through the letter of his son, the fact and reasons of his intended recal. But that, notwithstanding all this, from the subsequent turn taken by events in India, and the difficulties opposed to the appointment of the Duke of Buckingham here, the original intention was abandoned; and in place of Lord Amherst being about to be recalled, the Court had now met, in the hope of easily prevailing on the Proprietors to confirm the vote of thanks which they had since thought it right to give to Lord Amherst, as some comfort to his wounded feelings, and some balm to the agitation into which his precipitate alarm had no doubt thrown him, when he apprehended his immediate removal from office.’

This was, indeed, the true state of the case, and ought to have been frankly avowed. But candour and frankness are qualities that belong only to great minds, and are rarely or ever evinced, except by those, who, pursuing a straight forward and honest policy, do not fear to avow anything that is really true, because truth and justice are their only standards of action. The contrary spirit displayed by the Directors in their evasive answers to inquiries which might so easily have been met with direct avowal, cannot fail to lessen their dignity, low as that already is, in the estimation of their Indian servants, to whom the fact of Lord Amherst's intended recal, the rumour of which is here declared, by the Chairman of the East India Company, to be *without any foundation whatever*, is as notorious as the sun at noon-day. They will judge by this equivocation of their “honourable masters,” what manner of men they are; and be encouraged, perhaps, by so high an example, to practice this subtle art a little more freely among themselves.

sent home, not writen in the Mahratta tongue, but in any of the Native languages which abounded on the coast of India, are we to have another interpreter? It comes to that. If we have a Mahratta interpreter, by the same rule we may be required to have an interpreter for each of the Indian languages.

The CHAIRMAN said, it must be left to the commissioners to devise the best mode for securing the necessary information.

Captain MAXFIELD.—I have observed it stated, in a recent publication, that the commissioners were, on one occasion, unable to get an answer from India on a particular point. I wish to know whether they had yet received an answer to that question?

The CHAIRMAN.—I am not aware of such a circumstance. With respect to publications which state such facts, they never fall into my hands, and, if they did, I would not attend to them.

Mr. HUME.—This question is not, I think, of so little importance as the hon. Chairman seems to suppose. The property, as well as the time of the claimants, are concerned in the due and speedy adjudication of their claims. I am, therefore, anxious to know whether you, Sir, in your official character, are aware of the fact which has been stated? I ask this question because I think the public should know the true state of the case. If no such circumstance have taken place, a contradiction ought to be given to the statement.

The CHAIRMAN.—I have already stated that I am not aware of any such circumstance; and it must be recollected, that as this is a Parliamentary Commission, the Court of Directors have no control over it. If any impediments have been thrown in the way of the Commissioners, Parliament must correct the evil, and I shall be happy to see it rectified.—(*Hear.*)

The conversation here ended, and the Court immediately proceeded with the business which they were specially summoned to consider.

The CLERK, by the direction of the Chairman, read the following resolution:

“That the thanks of this Court be given to the Right Hon. Earl Amherst, Governor-General of India, for his active, strenuous, and persevering exertions in conducting to a successful issue the late war with the Government of Ava, which was provoked by the unjust aggression of the enemy, prosecuted under circumstances of very unusual difficulty, and terminated so as to uphold the character of the Company, to maintain the British ascendancy in India, and to impress bordering states with a just notion of the national power of Great Britain.”

Then followed resolutions of thanks to Sir T. Munro, Sir Archibald Campbell, and to the officers, non-commissioned officers, and privates, employed in the Burinese war.

There was also a resolution of thanks to Commodore Sir James Brisbane, and to the officers and crews of his Majesty's and the Company's ships engaged in assisting the army in their operations against the enemy.

The CHAIRMAN then proposed, “that the Court do approve of the first resolution, with reference to Lord Amherst.”

The motion having been again read—

The CHAIRMAN observed, that it had been framed in the anxious expectation that it would meet with the unanimous concurrence of the Court. It would be impossible for him to anticipate any objection that could be made to the motion now submitted to their consideration, since the war had certainly been brought to an end in a manner highly advantageous to the interests of the Company; and he conceived that the success with which it had been conducted, very fairly entitled the individual who was placed at the head of the Government to the cordial thanks of the Court. As he did not anticipate any objections to the motion, he would reserve himself for the purpose of answering any hostile observations that might chance to be made in

the course of the day ; and, for the present, he would content himself with moving the resolution.

The DEPUTY CHAIRMAN (the Hon. Hugh Lindsay) seconded the motion.

Dr. GILCHRIST said, it appeared that this resolution had not passed unanimously in the Court of Directors ; and he thought it but fair that those who were here assembled might be supposed also to have a difference of opinion amongst them as well as the Court of Directors ; and he hoped, if any individual rose to state his sentiments, he would not be considered as acting irregularly, or as appearing before the Court in a questionable shape.

The CHAIRMAN.—Nothing has fallen from me which tends to produce the effect which the hon. Proprietor seems to think. On the contrary, I invited every gentleman in the Court to state his sentiments fully ; all I said was, that I could not anticipate any objection to the resolution.

Mr. HUME.—When my learned friend has had more experience in the proceedings of this Court, he will find that no difficulty was ever interposed to prevent a gentleman from fairly expressing his sentiments. (2) I have been a Member of this Court a number of years, and I must say, in justice, that though my opinions are not always in accordance with the sentiments of the Court, yet I always find gentlemen disposed to pay attention to my observations. I state this lest any unfavourable impression should be made by what has fallen from my learned Friend as to any disposition manifested not to hear him. It was not my intention originally to offer myself to the Court in this stage of the proceedings, for I candidly confess that I expected some individual either within or without the bar, would have thought it his duty to state the foundation upon which his opinion rested. In justice to the Noble Lord, some gentlemen should have been prepared to have declared the grounds on which a question of such vast importance to this country and India was to have been decided. Having, however, waited some time, and observing that no gentleman appeared anxious to address the Court, I felt myself called upon to say that I am one who cannot concur in the full extent of the resolution now proposed.

If there be any thing more important than another to a public man—wielding the sword and enjoying those powers which may impart happiness to millions, or which might, on the other hand, effect the destruction, not only of those immediately under him, but of all neighbouring communities—it is that his motives should be properly known and appreciated when he called those powers into action. When war was carried on it was a most important question for the Court to consider how it had originated. In a case where the honour and interests of millions are concerned, I think we should be very cautious how we accord our sanction to a war without, in the first place, having the fullest information upon the subject. There are, perhaps, some gentlemen in this Court who were not perfectly aware of what Proprietors were about to do—I will tell them. You are called on to thank Lord Amherst for

(2) We do not know whether Mr. Hume meant to be ironical in this declaration or not ; but, if he did not, we think he must have forgotten the repeated and pointed interruptions given to *all* speakers who oppose the views of the Directors on different occasions when subjects have been debated in this Court. Of these our pages have recorded many instances, even within the last three years. How many times has Colonel Stanhope, Sir Charles Forbes, Sir John Doyle, Mr. Hume himself, Mr. Kinnaird, Mr. Gahagan, Dr. Gilchrist, and others, been called to order by various members of the Court, and on appeals being made to the Chair been declared *out* of order, and prevented from proceeding because what they were saying was unpalatable ? Were there no such interruptions in the Hyderabad debates ? in those on the Indian Press ? and in many others that might be named. If there were, Mr. Hume's praise is undeserved ; if there were not, we shall no longer have faith in our own senses.

bringing to a successful issue the war in which the Company has unfortunately been engaged for the last three years. Now, before I can concur in any approbation of Lord Amherst, as the principal mover, and, I believe, author and originator, of that war, I shall put a case: I shall ask myself, and call upon every Proprietor to do the same, whether, if Lord Amherst had set fire to his house, and by that intentional and wilful act had not only destroyed his own property but also the property of his neighbours placed under his charge, whether if, by that premeditated, rash, and hasty act, property to the extent of four or five millions should be destroyed, would they, because Lord Amherst (he having commenced the mischief) had exerted himself to put an end to it, think him worthy, therefore, of approbation. Suppose, along with this property, if, of the individuals employed to put out the fire, to the amount of twenty-five or thirty thousand men—some were starved, some died of disease, and some were put to death; suppose that the inhabitants generally, were exposed to famine, to the sword, and to pestilence—all arising from this wilful conflagration of Lord Amherst—I will ask whether, under such circumstances, any man would be ready to come to a vote of approval because, after having set his house on fire, the noble Lord had used all the means at his command for the purpose of extinguishing it! I will ask—suppose the property was insured in a London insurance office, would the noble Lord receive an acquittal, with thanks and approbation, from that office for his exertions in putting out the fire, without entering into any consideration of the causes and origin of the conflagration? The case I have put is not at all at variance with the facts connected with the resolution now before the Court. I put this case (founded on circumstances which sometimes occur in this city) to make the matter clear to all. I demand of the gentlemen about me whether, without due information, without inquiry, without having an opportunity of estimating the conduct of the noble Lord, in commencing this fire, or, as I shall now call it, this war, they were ready to thank him for his exertions in bringing it to an end? I will admit, for argument sake, that the noble Lord had brought it to an advantageous and beneficial conclusion, or, as the resolution has it, to a “successful issue.” I am free to confess that, as far as regards the conduct of the troops, as far as regards the individuals employed by the noble Lord in the execution of the duties imposed on them in the course of the war—there cannot, I believe, be found one man in this Court, or elsewhere, who would refuse them that meed of approbation and applause which devoted heroism and continued perseverance in the performance of the duties allotted to them so justly merited. In the observations, therefore, I am about to make I wish to draw a distinct line between the officers and men, who were called upon to carry certain orders into effect, and the noble Lord with whom the war originated, and by whom it was directed. (*Hear, hear.*)

In England they were unfortunately ignorant of many transactions which took place in India, in which hundreds, nay thousands, of lives were sacrificed on either side. Resolutions have passed this Court while the transactions which gave rise to them were very imperfectly understood. I do not mean to upbraid the Proprietors for any vote they have come to, for we should judge of any proceeding as it is placed before us, and we are seldom in the situation of having such information as will enable us to come to a calm and dispassionate decision. In this state of ignorance we are kept designedly by the Government abroad, and not less designedly by the Government at home. This rendered it difficult for any hon. Proprietor of the Court to give a correct and candid opinion. I did not, therefore, complain of any opinions delivered here; they were, I believe, in most instances, given under the impression that the individuals were acting rightly and properly, because they were acting consistently with the information laid before them, but looking at the Court in a political, or in any other situation, I contend, that the Proprietors who should censure and control, if aught were wrong, and who should applaud and approve, if aught were right, did not do their duty, in agreeing to vote on any subject without full information. No man (if I understand the subject) should give his vote in this Court except as he would give his vote

in a jury box, where he is on his oath; like a juror he ought to found his judgment on that information which he believed to be the best. He ought not to act in blind submission—in dutiful obedience and humble subservience—to the executive body. Now, I ask you, individually, to put this question to yourselves: “Should I, if placed in a jury box to give my decision on the veriest trifle, be warranted in forming an opinion on the subject without due information?” If no man would, (and I hope no man in this Court will say he would decide otherwise,) then, I ask you, in a matter of so much importance as the present, not to give an opinion without information, but to act in the same upright and honourable manner as you would do if you were on a jury. You are here not called on to decide a case relating to the property of your neighbours, but it is demanded of you to give an opinion on a case where thousands of lives have been sacrificed, and millions of property have been wasted; I, therefore, loudly demand of you not to act with the usual subserviency to the constituted authorities, but to decide fairly on the evidence, for yourselves, not merely as proprietors of East India stock, but as British subjects. If you do this, I shall have no hesitation in standing by the verdict. This being the case, I am one who could not, under all the circumstances, agree to the resolution, and I call upon the Court to adopt my opinion if I adduce arguments sufficiently strong in support of it.

I think that the question of peace or war, is a question of such momentous import, that this Court ought to be very cautious how they applauded the origin of hostilities or their progress. You ought not to approve of war, however successfully carried on, unless you are satisfied that it was undertaken in your own defence,—was strictly just, and absolutely necessary. (*Hear, hear, hear.*) If I could convince myself for one moment, that the late war could not have been avoided, and that it was just and necessary, I would be the last man to object to it. I therefore wish gentlemen to inquire, before they declare their approbation of Lord Amherst’s conduct, whether the war which he began was just and necessary, or such as should have been prosecuted by any Christian people. I will at once pronounce my opinion upon that point. I do so with great diffidence, but my own candid and dispassionate opinion is, that there are no grounds before this Court, or before the country, to warrant me in believing that the war was inevitable or just, or provoked in any degree by those who were the objects of it, and who were so severely punished for the conduct that was imputed to them. Therefore, I said,—proceed cautiously—ask for information—do not decide on proceedings of such immense moment in the way in which you are called on, and which has been too generally adopted, but wait until you have proper means of judging correctly.—In my mind, there is nothing before the Court or before the public, to enable you to come to a decision as to the origin of this war; but to make up for this want of official information, I have gleaned something from the work of an hon. Baronet, (Sir J. Malcolm,) who is now in Court, and who has detailed the proceedings with the Burmese prior to the breaking out of the war. If any gentleman looks to Sir John Malcolm’s statements upon the subject, brief as they are, though they embraced a period from 1795 to 1821, (at which period the hon. Baronet’s account closes,) and if, after having examined them, however favourably any person might at first have thought of the war, he did not arrive at a different conclusion; then I should be very much mistaken. I contend that the conduct of the Indian Government, I mean the Government of Lord Amherst, in waging war with the Burmese at the time, and in the manner he did, was contrary to the Statute Law of this realm, and at variance with the feelings and principles of a Christian community. You have had, within a very short time, an exemplification by a very high authority, of what ought to be the law of nations in such a case as that of the Burmese. No later than last night, the British Legislature was called on to sanction his Majesty’s Ministers in sending a body of British troops to Portugal, for no other reason than because a party of Portuguese rebels, who had been received on the Spanish frontier, had re-entered Portugal, carrying with them devastation and ruin. Their conduct, I admit, Sir, was attended with all the circumstances

which usually accompany an invading foe. What was the argument founded on this event? Spain was not accused of having fomented this invasion, though it was thought she must have been privy to, or connived at it. The movement of the Portuguese was, however, declared to be a hostile aggression, and under our treaties was considered as affording grounds sufficient for our interference, which might, perhaps, ultimately lead to a war with Spain. If this one transaction,—this march of the Portuguese insurgents, (for it did not appear that any inroad had been made by the Spaniards themselves,) were considered to be a sufficient cause for this or any other Government to commence hostilities; if it were deemed to be a just ground of war,—then, I ask the Court to state what their opinion is as to the unprovoked warfare which the British Government have carried on against the Burmese?

In order that they may understand the subject thoroughly, I will, Sir, point out to you and the Court, what have been the proceedings of the British Government towards the Burmese for the last thirty years. Their conduct, I must say, has been one of continued inroad and aggression. I say this advisedly, because, by the doctrine which I have quoted as having been used in the House of Commons, it was laid down that if one country gave refuge to the subjects of another, and those subjects thought proper to invade their native land, then, if they were not prevented doing so by the State which had succoured them, that State must be considered as guilty as the actively offending parties. I have much cause of complaint, after the readiness which had been expressed to produce all the documents relative to the proceedings of the Burmese before the year 1823, when I find that every document on that subject had been withheld. Those papers, which detailed the cause of the heart-burnings and disputes that had arisen between the Burmese and the British Government, have been cautiously kept back. Are you, then, when the parties in power are garbling and withholding evidence, blindly to support a vote of thanks, applauding the individual who carried on the war, and declaring it to be a just contest, rendered necessary by provocation on the part of the Burmese? I have received an account from a correspondent, which I believe to be perfectly correct, describing the state of affairs between the Burmese and the British Government for several years; but knowing the weight and importance attached to the opinion of the hon. Baronet, Sir J. Malcolm, I shall waive the information I have received, and confine myself solely to the statement of the hon. Baronet. If there be any gentleman present who would attend to this detail, and would permit it to influence his judgment and decision, I am confident that that individual will agree with me, that this Court is, at the present moment, in a state of comparative ignorance, and therefore not prepared to give its approval to a war carried on under such lamentable circumstances. It appeared that in the time of Lord Teignmouth, a Burmese force followed some refugees into the British territories.

Mr. RIGBY rose to order.—Mr. Chairman—I submit to the consideration of the hon. Proprietor, as well as to the Court, how far the hon. Gentleman is in order upon this part of the question. The Court is called upon to consider a vote of thanks to Lord Amherst, for his conduct in conducting and concluding the war, and the hon. Proprietor, instead of confining himself to that question, has referred to a publication of Sir J. Malcolm's, detailing circumstances which commenced in 1795, and ended in 1821. The circumstances to which the hon. Gentleman was about to call the attention of the Court, had occurred long before Lord Amherst proceeded to India, and therefore cannot, in my opinion, be introduced here.

Mr. R. JACKSON.—I contend, Sir, that my hon. Friend is in perfect order. We have been invited to a full discussion of this question, and my hon. Friend, whose opposition to the resolution is founded on the supposition that the war was unjust, was only quoting matter to show that it was as he had described it. I must entreat the hon. Gentleman not to call any of his brother Proprietors to order unless they are so palpably out of order as to render it necessary. It will put an end to discussion altogether, if those who are conversant with

Indian affairs are to be called to order whenever they refer to the pages of history.

Mr. RIGBY.—As this is a discussion concerning the conduct of Lord Amherst, I think it is not fair for the hon. Proprietor to go back to transactions with which that noble Lord had no connexion.

Mr. HUME in continuation.—I wish, Sir, to offer one observation on the gross irregularity of the conduct pursued by the hon. Proprietor, and to expose the ignorance which he has displayed on this occasion. The hon. Proprietor ought to have known that the Governor-General, like the King, never dies. (*Hear.*) The acts of different Governors-General flow from one to the other, in an uninterrupted stream. I object to the conduct of Lord Amherst, because, if the proceedings of Lord Amherst's predecessors, to which he had alluded, were improper, it was the duty of that noble Lord to have corrected them. When a Governor-General is appointed he may either continue or modify any act of those whom he succeeds. It is no excuse to say, "Because I found matters in such and such a state I thought it was proper to leave them so." If the hon. Proprietor means to come to an impartial discussion, he must, in justice both to Lord Amherst and to the East India Company, weigh attentively the statement I am about to make. It appears, then, that the first "official bickering," between the British Government and the Burmese, took place in 1797 and 1798: the following circumstance occasioned it: The cruelty of the Burmese Government in Arracan, caused large parties of people, denominated Mughhs, the subjects of the Burmese Monarch, to fly from their country; they crossed the river Naaf, the boundary between Arracan and our settlement of Chittagong, and they appealed to us for shelter. That shelter was given by the East India Company, or their agents. Whether that was a wise or unwise step I will not stop to inquire, but when twenty, thirty, or forty thousand individuals, pressed by famine and dreading death, claim a shelter from us, I think no British officer could, or ought to refuse such a protection as he could extend to them. (*Hear.*) However feelings of policy might be opposed to such a proceeding, I am sure that the proverbial humanity of Englishmen would not suffer them to reject such a melancholy appeal. Those refugees having been received by us, a public officer, Major Cox, was sent down, in 1799, to provide for their settlement: this circumstance was at the time a matter of notoriety, and I recollect having heard of it when I arrived in India. Major Cox, who was armed with the authority of the Governor-General, in pursuance of the instructions he had received, located thirteen or fourteen thousand of those individuals on the waste lands of Chittagong, situated on the Burmese frontier. The neighbouring ryots, or farmers, gave shelter to thirteen or fourteen thousand others. Thus were these Mughhs situated precisely as the Portuguese refugees were situated in Spain. Thus settled, under the protection of the Company, they soon began to enter the territory of Arracan in numerous bodies, which country they laid waste with fire and sword. At length a body, of not less than ten thousand men, made an irruption into the Burmese territory. On their retreat, four thousand Burmese troops were sent in pursuit of them; those troops penetrated into the Company's territory, for the purpose of chastising the invaders. Much prudence was displayed on the part of the then Governor-General. Unquestionably the Company's territory had been violated, but the Governor-General, unlike Lord Amherst, did not instantly declare war against the Burmese; he considered, that a body of men living under our protection, had, in the first instance, invaded Arracan, and he thought it was but fair to set off the aggression of the refugees against the incursion of the Burmese troops. Those troops established themselves in a stockade, and a force was sent from Calcutta to dislodge them from their position; but that force was repulsed. The Burmese, however, retreated, of their own accord, leaving behind them a letter, which Sir J. Malcolm quotes, and in which they state, that "no cause of discontent exists between the Burmese and the Company, except that which arises from the conduct of the refugee Mughhs who are settled under the British Government. That (say they) is the only ground of displeasure between us."

'They also observe, in emphatic language, "if you continue to protect the Mughls you will strain, until you break, the cord of friendship." These, I believe, are the very words they used. "Either (said they) drive the Mughls from this district, or prevent them from devastating the Burman territory as they have done."

If, Sir, I can prove that, from 1799 to 1821, a continued series of aggression was directed by the Mughls, otherwise the British Government, (for we were their protectors) against the Burmese, then I would confidently ask, whether any honest man could place his hand on his heart and say, that the irritation so produced was not sufficient to rouse, to acts of hostility, a people who were thus unjustly treated? I would ask, whether the Burmese, thus provoked, were not justified in adopting a warlike attitude? Assuredly they were called on by the law of nations, by their own honour, and by a proper desire to procure justice—to repel such injuries. A mission was sent to Ava, by Marquis Wellesley, after the settlement of the Mughls in 1799, in consequence of the Burmese having despatched certain officers to Calcutta to represent the aggressions of the refugees. The noble Marquis, acting with that finesse which policy sometimes rendered necessary, declared, that the hostile conduct of the Mughls was entirely at variance with the wish of the British Government. He told them that they might return to their Court with the full assurance that such aggressions would be prevented in future. Scarcely, however, had the Burmese mission got back when the Mughls again ravaged the country. The Burmese authorities complained loudly of this incursion, and Mr. Pechell sent to the British Government the letters he had received from them on the subject. The Burmese Government there stated, in plain terms, what must be the issue of such proceedings. "If (said they) you persist in such conduct, hostilities are inevitable with the Company." Colonel Symes was afterwards, in 1802, sent to Ava; the principal object of his visit to that Court being to filter down the complaints made by the Burmese, of those incursions. To a certain degree this purpose was answered, but fresh aggressions took place, and feelings of the most unpleasant kind were engendered. In 1809, Captain Campbell proceeded to Ava, for the purpose, if possible, of adjusting these differences. In 1811, the evil consequences of the protection which the Company had given to the refugees became more strikingly apparent. At that time a chief, well known in that part of the world, assembled the refugees in large bodies, and laid waste the Burmese territory, devastating and destroying every place he came to. A demand was made to the British Government, by the Burmese, that the former should deliver up to the latter all the refugees found in arms; but that demand was evaded on the score of humanity; for the Government well knew that death, of the most cruel description, awaited those refugees, if the demand for giving them up were complied with. The frequency and audacity, however, of these incursions was such that the British Government was forced, at length, to issue an order, declaring that every refugee, surprised in the act of invading the Burmese territory, should be handed over to the Burmese Government. In 1815, a despatch was sent to India, by the Court of Directors, in which they expressed a wish that, instead of giving up the refugees, the Government should place King Bajee (the chief to whom he had before adverted) at the disposal of the Burmese Government. This course was pointed out in preference to the other, because the executive body knew that all Bajee's partizans would be put to death when given up, and they instanced a case where 250 of those marauders had been massacred. The Court of Directors further desired the Government to keep the chief a close prisoner somewhere, if they did not deliver him to the Burmese; but they directed that, if war could not otherwise be avoided, he should be handed over to the Burmese authorities. Any further proceeding, however, with respect to him, was rendered unnecessary, as he died soon after.

I shall now, Sir, advert to a circumstance, which, I hesitate not to say, occurs no where else in the annals of British India. So sensible did the British Government at length become of the injustice which the Burmese had suffered, that they permitted the Burmese troops to enter the British territory,

and, in conjunction with the British forces, to pursue the aggressors. This, Sir, is a most important point; because, when the East India Company allowed a body of Burmese soldiers to enter their territory and to unite with the British troops, for the purpose of seizing the Mughs, it could not be doubted, for a moment, that most gross provocation had been given to the complaining party. That provocation, Sir, was of such a nature as to create that fixed ill will, which finally terminated in acts of hostility against us. I see many gentlemen in Court who know that it is a very tender point with the Company to permit any stranger to cross their territory. They will not, if possible, allow a hostile foot to tread in their dominions, except under very peculiar circumstances. If, then, they admit the Burmese troops to enter their territories for the purpose of inflicting vengeance on those marauders, does not that circumstance, of itself, furnish abundant proof that the injuries sustained by the Burmese were of the most flagrant description? Sir, if it were otherwise, the Company never would have granted any such permission. There are, I believe, some officers in the Court, who were with the British troops at the time, and they, I am sure, are cognizant of these facts. On the 19th of May 1815, our Executive Body approved of the conduct of the Bengal Government in permitting the Burmese troops to enter the British territory for the purpose I have stated. Now it is quite evident to me, that the Court of Directors grounded their resolution of approval, on the fact, that great and flagrant cause of offence had been given to the Burmese. I therefore must contend, that, when I have detailed such a series of unprovoked aggressions against the Burmese, the recital ought to remove all hostility towards that people, from the minds of those, who, being ignorant of those circumstances, had previously, in consequence of that ignorance, viewed them in an unfavourable light, and were ready to accuse the Burmese Government of unprovoked and gratuitous hostility.

The Court of Directors, on the 19th of November 1821, came to this resolution—"That such was the invincible conduct of the Mughs, that they were induced to approve"—to approve of what? why—"to approve of the determination to which the British Government had come;" which determination was, "that every one of the marauders who might chance to be taken, should be delivered over to the Burmese authorities, to be put to death." Now, Sir, I would much rather have removed every Mugh to a distance of 10 or 50 miles from the frontier, and thus prevent them from entering the Burmese territories, than deliver over to certain death, persons whom the British Government had protected. I consider this proceeding as a foul stigma on our Government here and our Government abroad. If publicly were given to this fact, what would be the feelings of the British public? All the noble energies of this country have been exerted to put an end to the slave trade or to ameliorate the condition of the slaves; but while, in accordance with that warmth of generous and humane feeling, which is universally diffused in England, for endeavouring to effect this object, what answer could be given, if a foreigner were to say—"You complain of the trivial injuries sustained by negro slaves—but I can point out where your own Government has given over to a cruel death, hundreds and thousands of individuals—and those individuals your own subjects."

From that time, to November 1821, irritation increased from year to year between the Company's subjects and the Burmese; and can it be said, after what I have stated, that no provocation has been given to the latter; that sufficient has not been done to induce them to come and drive us from the frontier, if they could effect that object?—Are you prepared to come to such a conclusion, after the long continued aggressions against the Burmese, and the various ineffectual representations they had made to our Government? Could it then be said that they commenced hostilities?—Did they not, on the contrary, act justly and fairly?—I think they did. The laws of war and of nations were opposed to the system which the British Government had pursued; every sentiment uttered in the House of Commons last night on the subject of the law of nations was at variance with their conduct; and when it was seen, as

in the case of Spain, that troops were sent from this country to Portugal on account of one aggression, could any one assert that, after twenty-five years of continued aggression against the Burmese, that people would not have been justified in doing even more than they have done?

I have one word to say with respect to the Governor-General. I have hitherto spoken of the acts of former Governments; but I have named no Governor-General. The question now to be considered is—Did Lord Amherst and his Council do their best to place themselves in such a situation with the Burmese as to deserve peace at their hands?—I think not—they hurried in to the war too precipitately.—Did Lord Minto, when such inroads were made on the British territory, declare war immediately?—Did Lord Hastings precipitately rush into hostilities?—No—these Noblemen acted with more prudence, and I am confident if Lord Minto were alive, he would, if asked the question, be ready to say—“We deplored the acts of the refugees, and we cannot deny that they were the cause of great irritation to the Burmese.—We threatened the latter with hostilities; but, conscious that they had a just cause of complaint, we felt that it would only be adding injury to injustice if we, whose subjects were the aggressors, determined to wage war against them.” This is the actual situation in which the British territories and those of the Burmese Government stood with regard to each other up to that time. Now, Sir, I will close all doubts on this part of the subject, if indeed any doubts can still exist, by reading an extract from that very excellent publication, to which I have before had occasion to allude: I speak, of course, of Sir John Malcolm’s work on our Indian policy. At page 595 of that publication, Sir John says, (and I entreat the Court to attend particularly to his observations; for, in quoting them, I cannot be accused of drawing from partial sources—on the contrary, I believe that all will admit his conclusions to be derived from facts, and from facts alone;) at page 595, Sir John says, “From the day that the Mugh emigrants were permitted to colonize so near the frontier, the natural passions and patriotic resentment of that tribe, our feelings of humanity, and the principles of our internal rule, came in violent collision with the arrogant pretensions, the offended pride, and the indignant jealousy of the Burmese Government; and these conflicting causes soon created aggressions and retaliations, which it was easy to foresee must, sooner or later, terminate in war. These reasonable grounds, which the Burmese had for discontent, had certainly not increased during the administration of Lord Hastings.” I wish the Court to remark that the gallant officer says, that the “reasonable grounds which the Burmese had for discontent, had not increased.” In making that admission, the gallant officer allows that which every thinking man sees it would be impossible to deny, that there had been sufficient done by the British Government to engender that provocation which ultimately led to the insolent bombast, and threatened attacks of the Burmese Government.

I think that I have now brought the Court into a proper situation for judging of this important question. The justice or injustice of the war which we have just terminated, rests on the correctness or incorrectness of this statement, I therefore ask the Court to call for further documents, to demand further information, to use their own eyes and ears, and to examine rigidly into the truth of the matters I have endeavoured to lay before it. (*Hear, hear, hear.*) If my statements be inaccurate, then I will consent to blame the gallant officer whose book has misled me, and my own correspondent, (*hear, hear.*) who was an eye-witness of the events he describes; but if they be accurate, as I verily believe they are, in what a situation will you, Gentlemen, be placed, if you now affirm that the Burmese had no ground of complaint, that they met with no irritation, and that they commenced a war which was on your part entirely unprovoked! (*Hear.*) I say that it is impossible for any body of thinking men to come to such a conclusion. I cannot do it; you cannot do it, if you pay the slightest attention to the facts which are before you. I have made out a continued series of provocations and outrages on the part of our subjects towards the Burmese, and I say that it was hasty and

inconsiderate in Lord Amherst and his advisers, to imbrue their hands in the blood of that people, when they had excited by their own policy those feelings of hostility and resentment, which are now relied on as a justification for the war.

I have also another reason for disapproving of the vote of thanks which it is now proposed to give to Lord Amherst, and that is founded upon an Act of Parliament. The Act to which I allude, is one of which I will only say, that I regret it is not removed from our Statute-book, as our Indian Government has repeatedly violated its provisions. On two occasions, have I called the attention of the Court to violations of it; and on both occasions was I met with the protestation that the British Government had not voluntarily interfered with the Native Powers, but had only stood up in its own defence. Now those who know the slight and frivolous pretexts on which States neighbouring upon our territories have been invaded, must detest the hypocrisy and cant which defends those invasions upon such grounds. It would be more honest and more manly to say at once, "This is a bad act—this is an act of aggression—but it is necessary to protect British ascendancy in India." We might expose our cloven foot by adopting such language—but who is there that does not suspect its existence at present? We shall then stand in the open and undisguised position of conquerors of India, and should no longer appear afraid to justify the policy on which we have perseveringly acted. We have often disapproved of the attacks which our servants have made on the Native Sovereigns of India, but have we ever disapproved of their keeping possession of the territories which those attacks procured for us? (*Hear, hear, hear.*) Let, then, in future, our words and our actions agree; let us not claim a character for innocence and impartiality, whilst we are gulping down by wholesale every Native Power; let us not talk of our justice and forbearance, whilst we are retaining every conquest which the fortune of years has thrown into our grasp. (*Hear, hear.*) If it is befitting the character of the British power in India, if it is necessary for its maintenance and preservation, that it should command the whole of India, let us avow the necessity alone; let us say openly, "The British aims must be paramount every where, and every attempt to weaken our ascendancy shall be punished as treason against our authority;" let us declare that such is our language, and such our determination—for such an avowal will be more consonant to our character for honesty and integrity, than the false and hypocritical cant which we have indulged in for years.

Bearing these observations in mind, let us see how we are situated with regard to this Burmese war. Now, I say boldly and at once, that every man who concurs in the vote which has this day been proposed to you, if he does not violate his own conscience, violates at least an Act of Parliament, the 24th of Geo. 3d. chap. 31,—and I quote it, because there are many persons who think there is much virtue in Acts of Parliament. My own opinion however is, that they only touch the weak, and let the strong go free,—the 24th of Geo. 3d. chap. 31, has this preamble:—"Whereas to pursue schemes of conquest and aggrandisement is repugnant to the wish, to the honor, and the policy of the British Nation." Here let me pause to make one observation. If I were to turn to the history of British India, and were to consider every war in which you have been engaged in reference to the wish, the honor, and the policy of the nation, I have no hesitation in saying, that I could prove in every instance that they have been utterly neglected, and that nothing but the aggrandisement of the Company has been regarded. The Act then proceeds, with the usual formalities, to enact, "That it shall not be lawful for the Governor-General in Council of Fort William, without the express authority and concord of the Court of Directors, or of the Secret Committee, either to declare or commence hostilities, or to enter into any treaty for making war against any of the Native Princes or States in India, or enter into treaty for making war against any of the Native Princes or States in India, or guaranteeing the dominions of such Princes or States, except when hostilities should have been commenced, or preparations actually made for the attack

of the British nation in India, or of some of the States and Princes, whose dominions it shall be engaged by subsisting treaties to defend." There are thus two cases, and no more, in which the Governor-General in Council is empowered, upon his own responsibility, to declare and commence hostilities against the Native Powers: the first is, where they have commenced actual hostilities against us or our allies, and the second, where they are notoriously engaged in preparing themselves for cruel hostilities. Now the Burmese war comes not under either of these cases; and I complain that Lord Amherst, as Governor-General, did both declare and commence hostilities against the Burmese, without the authority and concord of the Court of Directors, or of the Secret Committee, and indeed without their knowing any thing at all about it. Let us examine whether such a line of conduct has been always pursued by our Governors-General. Every man who recollects the distance of India from England, and the time which necessarily elapses in making and returning any communication between the two countries, must see that the attacks of the Native Powers will often require to be repelled on the instant, and without waiting for any authority from home. For such cases, the Act of Parliament, as I have before shown, makes exception. But I hold that in all cases where circumstances will permit reference to be made to the authorities in England, the Governor-General is bound to make it, and to suspend his operations until he has received a reply to it. In the war against the Pindaries, what was the conduct of Lord Hastings. Did he blindly and inconsiderately, and on his own responsibility, rush into that war, or did he refer home to the Court of Directors for instructions how he was to act? I am sure that every man who now hears me, will recollect that Lord Hastings wrote to your executive Government in this country, described to them the outrages and atrocities which those marauders committed, and asked, whether, under such circumstances, they would permit him to make war upon them, and put them down? The Court of Directors, on reading the memorial, which his Lordship submitted to them, gave him their unanimous concurrence and support. He felt that he was in a situation which did not require an immediate interference with an armed force, and he therefore determined to follow the path chalked out for him in the Act of Parliament, by referring the question of peace or war to the consideration of the authorities at home. But Lord Amherst, not being gifted with that caution and judgment which distinguished Lord Hastings, resolved, in a case which might have been referred to the Court of Directors, with as little injury to the public service as was experienced in the case of the war with the Pindaries—Lord Amherst, I say, resolved in such a case, upon his own responsibility, to exercise an authority, which, as Governor-General, he had the power, even though he had not the right, to exercise; and declared war against the Burmese, for whom, even if they were the offending party, which I deny, he ought to have made the same allowance, and shown the same forbearance, as was exhibited by Lord Minto and his other predecessors. I say that a deviation from the line of policy which they had pursued for so many years, ought to meet the condemnation of this Court, and not only of this Court, but of every man who wishes well to the security of the British nation in India.

I have hitherto contended, that the war was on our part unjust and unprovoked in its commencement—but I will now, for the sake of argument, suppose that it was as just and as necessary as any of its defenders maintain it to be; and then I affirm, that another question arises which we ought not to leave out of consideration, I mean the manner in which his Lordship conducted it. I affirm, that from the beginning to the end of it, his Lordship acted equally in opposition to the statute law of the land, and to the dictates of sound policy. Lord Hastings pointed out the policy which his successor ought to have been enjoined to follow; but unfortunately the value of that great man's services were not duly known, until the lamentable deficiency of Lord Amherst was discovered. Lord Amherst followed another policy, and we are now convened to thank him for it. In such a vote of thanks I cannot concur, first, because it passes over, without notice, an important part of his

administration, and secondly, because it says he deserves our thanks "for carrying on a just war to a favourable conclusion." I maintain, and I will prove, that allowing the war to be just, Lord Amherst deserves any thing but thanks for the mode in which he conducted it. It has been the fate of many general officers, who have carried war into an enemy's country, to be ill-provided with the necessary resources to obtain success. In such cases, the disgrace of failure rests with those who send out an ill-provided expedition, not with those who are selected to command it. Now, I trust, that whatever may have happened, no man will ever hereafter carry an army into an enemy's territory without displaying more consideration for their wants and comforts than that which Lord Amherst displayed on sending the tremendous power he did into the Burmese empire. If Lord Amherst began an unjust war, that is of itself a sufficient reason for my refusing to concur in the vote you have proposed to me, and if he began a just war, the thoughtless manner in which he conducted it, is sufficient to ensure him my contempt and condemnation. I say, that in his thoughtlessness he lavished the blood and bravery of British subjects with a prodigality which is hitherto unparalleled in our annals. How do I prove this assertion? A few words shall inform you. Lord Amherst declared war against the Burmese Government, and entered into their territories in the month of March 1824, a time when the monsoon was coming on, and it was impossible to carry war into the heart of the Burmese empire without a loss of men, and an expenditure of means, which the occasion neither required nor justified. With a prodigality of blood and of treasure which was never exhibited before, and which I trust will never be exhibited again, Lord Amherst sent a force to Rangoon, which was admitted on all hands to have been as fine an armament as ever went from the confines of India. And what was the course that this armament pursued? It remained locked up in the place where it first landed, in an island, which the planners of the expedition, with an ignorance only to be equalled by that of those who planned the expedition to Walcheren, did not know to be an island, until they issued orders to leave it, and to march farther up the enemy's country. In this situation our soldiers found it impossible to prosecute operations any further during that season—they remained in their cantonments, and submitted quietly to privation and disease, during the whole of the time in which they ought to have been employed in active service. They were obliged to wait for the arrival of cold weather, in order to have the slightest chance of bringing their labours to a successful termination. Now, supposing that you should approve of the judgment of Lord Amherst in originally commencing this war, still, I will ask any of you, who know any thing of India, whether, if you intended to attack the Burmese empire, you would attack it in the manner, and at the same time which was selected by Lord Amherst! If I am not mistaken, your reply will be "certainly not." It appears to me, that the loss of every man who died of disease on the expedition to Rangoon, is attributable to the want of judgment displayed by those who concerted it. I speak from experience, having once myself been attached to a detachment which suffered severely from the climate, when I say that the soldier, who will face without hesitation the bayonet and the cannon, loses his energy and enterprize, if he is long surrounded by debility and sickness. At the close of the monsoon, our troops, instead of being flushed with health, and anxious to meet the enemy, were—but let me do justice to their gallantry—they were always ready to turn out against any foe who presented himself to them in the field; but at the close of the monsoon there was scarcely a detachment in the whole army fit for action; and it was notorious, that if they had had to contend with an enterprising and disciplined adversary, the conflict must have led to results which every one of us would have had reason to deplore. We were fortunate, more by good chance than by good management, and that is a reason why I cannot consent to give any credit to him who left the honour and safety of the British nation in India so much to chance as Lord Amherst is admitted to have done in his expedition to Rangoon.

Besides this, there is another point, which I must press upon the notice of the Court, in considering whether Lord Amherst deserves our thanks for his

mode of conducting this war. I ask any Member, who maintains the affirmative of that question, whether there is any other man than Lord Amherst who would have left the frontier on the Naaf River, with a few guns, and a small force of horse, open to the attack of the whole Arracanese army? Such was the want of judgment and foresight on the part of his Lordship, that Captain Noton's detachment at Ramos, though formed of as brave soldiers as ever composed part of any army, was destroyed almost to a man by the overwhelming force that was brought against it. One of the officers, who escaped from that scene of slaughter, informed me, that his troops were so scantily supplied with ammunition that they were obliged to husband it with the greatest care. They maintained their post, however, because they did not conceive it to be possible, that Government could intend to leave them to support themselves—they expected supplies and reinforcements from day to day; and it was not till their last cartouche was exhausted that that expectation deserted them, and conviction flashed upon their minds, that they were utterly abandoned to the rage of the enemy. The fate of Captain Noton's detachment reflects great blame upon Lord Amherst, and till some explanation be given of the circumstances which led to it, I for one cannot agree to any vote which tends to applaud him.

But I have not yet done, Sir—I have further cause of crimination against his Lordship—I cannot concur in the panegyric, which has this day been passed upon him, when I reflect on the manner in which he acted towards one of the finest corps, a thousand strong, which Bengal ever saw—when I recollect, that at the commencement of the war, the terror inspired by the Barmese was very considerable, and that on the Chittagong frontier, to which that corps was ordered to march, a belief prevailed, that certain incantations were used by them which rendered them invincible. I ask you, Sir, whether I ought to concur in a vote of thanks to Lord Amherst, when I am told that he drove to minity a corps, placed almost under his eye at Barrackpoor, which had not lost five men by desertion, by refusing to hear their just complaints, and to supply them with the necessaries, without which they could not march to Chittagong; and when I am also told, that he allowed 500 of them to be mowed down by our artillery, and sniped by our infantry, as soon as they declared that they would not do that, which is point of fact they could not do without the assistance of Government? On former occasions, I have said, that the affair at Barrackpoor was one of the most unfortunate massacres that ever was committed in the British dominions—and I have not yet heard any thing which should induce me to change the strong term which I have applied to it. Are you, Sir, I would ask, able to state the origin, the progress, and the actual result of that transaction? It is said, that the Court of Directors have received the Report of the Court of Inquiry which was appointed to examine into it. If that be so, they have kept it most carefully from the public eye, and by so doing, are making themselves parties to the guilt of that unfortunate transaction. They must know where the fault lies; and whether it lies with the Governor-General, or with the Commander-in-Chief of the Forces, or with any other public officer, it is their duty to disclose it, and to let the blame attach where it is deserved. I should be sorry to say in my present want of information, that Lord Amherst is the person most in fault in this melancholy business; for one part of it, as I shall hereafter show, he is beyond all question highly blameable—but whether there may not be other persons still more blameable, I again repeat that I have no means of judging. I have accused Lord Amherst in this place of having acted with precipitation and cruelty. I have been told that I acted wrongly in bringing such an accusation against his Lordship—and I have even heard it stated more audibly than in a whisper, that it was against the Commander-in-Chief, and not against the Governor-General, that I should direct my indignation. Such being the case, I ask the Court, on behalf of the public, not to approve of Lord Amherst's conduct, until it knows that it is worthy of approbation. Can you, Gentlemen, approve of his mowing down with artillery one of the finest regiments in your service, upon the scanty information which you have at present

of the causes which led to so terrible a result? If there be peculiar circumstances in the case, which justified the severity displayed upon that occasion, for God's sake make them known, and give those who value your character, an opportunity of saying that the event was unfortunate, but that it was not a massacre. When you have done that, I shall be satisfied, the world will be satisfied—but until you do that, I must blame Lord Amherst, I must blame the Commander-in-Chief, and most of all, I must blame the Court of Directors, who have stifled information, which on every consideration of policy and of justice ought to have been submitted to the Court of Proprietors.

I may here, perhaps, be asked, why I introduce this subject into the discussion of to-day? To that question my answer is short. I introduce it because it forms a part of Lord Amherst's conduct in the management of the war. This regiment was ordered to march to the Chittagong frontier; but, in consequence of causes to which I have already alluded, refused to obey the order which was sent to it. I can show, if it be necessary, that at Midnapoor the 13th Regiment mutinied for similar reasons, and that the vacillation which the Government displayed in treating with the mutineers there, encouraged the mutineers at Barrackpoor in their military disobedience. It is said, that they declared their willingness to march in case they were provided with the usual allowances, and their inability to do so in case they were not. I should like to know how far that declaration was correct; because, if it were at all so, to expect that troops would move which had not the power of moving, was to expect a downright impossibility. From all that I have yet been able to learn, it does appear to me, that the conduct either of the Governor-General, or of the Commander-in-Chief, produced that lamentable issue. Which of them was most guilty, I again repeat, that I cannot say; but on their heads the guilt lies, and I will not do any thing which can possibly tend to sanction or approve it.

Supposing, for the sake of argument, that Lord Amherst is not liable to any degree of blame for the disgraceful massacre at Barrackpoor, I next object to his conduct in having given it his sanction when it was communicated to him. After the mutiny had been suppressed by means which have already been brought to light, a document was published, upon which I ask you to decide your present vote. It is dated Fort-William, and therefore Lord Amherst cannot be freed from the responsibility of it. Before I read it, I must, in order to make it intelligible, inform the Court that, after the unfortunate mutineers had been mowed down by grape-shot, it was proved beyond all controversy that not one Native officer had joined them; and that when General Dalzell charged them by their allegiance to the Company to fall out, they left their fellow-soldiers and joined the European officers, thus showing their attachment to the Company, and their readiness to act as honest and loyal men. Now, if it be right to punish men for misconduct, it is only just to reward them for excellent conduct. One would therefore have expected that the Government of Lord Amherst would have bestowed some mark of its approbation on men who had done every thing in their power to suppress the mutiny, and who, on failing in that respect, quitted the ranks of those who concerted it, and rallied round and supported the British authorities. But no such thing happened; on the contrary, a general order was issued, in which the affair at Barrackpoor is denounced as a disgraceful mutiny, and all the Native officers are cashiered and dismissed the service, on the ground that it could not have taken place without their knowledge and concurrence. [Here the noble Proprietor read the order in question.] I say that the issuing of such a general order is better calculated to prevent the settlement of any future mutiny than any single act which can be imagined. Such an act on the part of Lord Amherst, connected as it is with his conduct in commencing and prosecuting the war, is in my mind quite decisive as to the vote to which you ought this day to come; but even if it stood alone, I should say, that it was quite impossible for any public body of men to conclude that he had acted with that wisdom and sense of justice which ought to characterize a British statesman. If we could have had upon this subject the necessary information,

I would have entered more largely into details than I think myself justified in entering at present ; but as I am unwilling to be challenged on this occasion, as I was upon a late occasion, with having drawn my facts from partial sources, I will proceed to show what the Government of India did to prevent all knowledge of this transaction from getting abroad. A letter was written to the Editor of every newspaper in India, commanding them not to insert any information they might receive respecting it, be the same either good or bad. I hold in my hand a communication from a proprietor of one of the Indian Journals, stating that he had received a letter from the Persian Secretary to Government, enjoining him, on pain of the highest displeasure of Government, to abstain from all notice of it whatsoever. I ask, then, are we not entitled, under these circumstances, to have the result of the inquiry, which was instituted into that melancholy catastrophe by able officers on the spot, laid before us, in order that we may decide to what party we ought to attach the blame ? And can I, in the absence of all information, agree to thank Lord Amherst for an act which endangered the fealty of every Native regiment in the British army ? It is not because five hundred individuals lost their lives by military execution that I consider that act to have been so dangerous ; but because it occurred at a time when we were advancing into the territory of a power of whose resources we knew almost nothing, and when we were in considerable alarm from various causes, both on the Eastern and Western sides of the peninsula of India. Fortunately for the continuance of our supremacy, the same good fortune, which attended us on many former occasions, attended us then. The lamentable consequences, which it was only natural to anticipate, did not follow. The violence we committed, though, I understand, that great kindness must be exercised for many years to eradicate the feelings of resentment it has excited in their bosoms. Those vindictive feelings have not been at all appeased by the punishment which Lord Amherst inflicted on those of the mutineers, whose punishment he commuted from hanging to hard labour upon the high roads. To Brahmans, to men of high caste and spirited feeling, such a punishment was more cruel than death. I thank the Court of Directors for ordering it to be remitted ; and I have no doubt that they ordered it to be remitted, because, on a review of the whole case, they were of opinion that it was an atonement which was their due. I am well aware that when once a mutiny has commenced, it must be put down with a strong hand ; but even, then, strength ought to be tempered by mercy, and we ought not to forget that we are men and Christians. I once more thank the Court of Directors for manifesting their displeasure at this part of Lord Amherst's conduct ; I thank them for reviewing the orders which he had issued, and for making amends to the parties he had punished.

I have perhaps occupied more of the time of the Court than I ought with these observations ; but I feel that, in justice to the public, in justice to the Native troops, in justice to Lord Amherst, and in justice to the Commander-in-Chief, we ought to have before us the Report of the Committee of Inquiry. It appears that such was the opinion of Lord Amherst himself, on first learning the opinion expressed by the Court of Directors on his conduct. As a proof of this assertion, I cannot help reading to you a letter on the subject from the hon. Captain Amherst to Mr. Trower, an officer of the Bengal Civil Service. It was in these terms :—

“Public rumour will have probably conveyed, ere this reaches you, the account of the Governor-General's recall. As he wishes it, as well as the grounds which have induced the authorities at home to adopt this measure, to be made as public as possible, that all may have an opportunity of judging of its justice, I send you the particulars of this case.”

I wish to call the attention of the Court to one particular sentence in this letter. Lord Amherst and his friends have upon more than one occasion declared, in justification of the restraints which they have placed upon the Press, that there is no public in India by which measures of state policy can be considered. His Lordship has objected over and over again, in cases where others have been concerned, to allowing the public to become judges ; but no sooner is

his own conduct attacked, than he wishes that "all may have an opportunity of judging of its justice," even those who on other occasions are declared unworthy to exercise judgment. I could not help deviating from my course to make these remarks on the subject of the Press. It is a matter that is always sore with me, and I rejoice extremely in having caught one of its opponents on the slip. It shows how inconsistently men act, when they depart from the straight-forward path of principle, and it affords another proof, if proof were wanted, to convince us that the only way to escape falling into incongruities is, by adhering strictly to the dictates of reason. But to return to the letter. The writer proceeds:

"The first complaint is, the delay which occurred in sending home the Report of the Court of Inquiry on the causes which led to the mutiny at Barrackpore; the 2d is, that the evils disclosed before that Court, were not immediately redressed; and the 3d, that the Government omitted to comment on the Report when forwarding it home. The answer to the 1st is, that the Report was so voluminous, that much time necessarily elapsed before it could be perused by the members of Government, attending at the same time to the routine of their official duties. The late Mr. Adam, was also, at that time, shortly-expected in Calcutta, and the Governor-General was anxious, naturally, to obtain the opinion of so experienced a man upon such an important question. The answer to the 2d is, that if the Court had delayed their *precipitate* judgment about a fortnight, they would have found, that not only all evils were redressed, but that additional *pay and comforts* were granted to the troops in Arracan."

Now, if the troops were denied the comforts and conveniences which were always granted to them on former occasions, when they took the field against the enemy, does it not strike you that, by attending to their complaints and redressing their grievances in the first instance, by yielding to them voluntarily that which you granted to them afterwards, all the mischief of this lamentable catastrophe might have been avoided? and if it might have been avoided, and was not, does it not strike you that great blame must attach in some quarter, and *that we ought to know in what quarter?* The writer then proceeds:

"To the 3d complaint, it is answered, that all comment was omitted, because none was required; the case being as clear as possible, and requiring no *extraordinary intellect* ('a fine compliment this,' said Mr. Hume, 'to the Court of Directors') to determine who were to blame and who not. It was omitted out of delicacy to Sir E. Paget, who, as a member of the Government, must have passed *censure on himself* and on those immediately responsible to him."

This lets out rather an awkward secret; for it intimates that the Report censures Sir E. Paget, and those who acted under his orders; and if that gallant officer has any regard for his character and honour, which are deeply implicated by this letter, he must call for the document to which it refers, or must sit down under the stigma, which, in spite of all casuistry, it fixes upon him. In the whole course of this, and, indeed, of every other transaction, which we are assembled this day to review, I see an imperative necessity for calling upon the Court to give us farther documents. If blame attaches in some quarter, and no man denies that it does—let it attach to the proper person—let not the innocent be blamed and the guilty go free. If Lord Amherst be not guilty, I have done him serious injustice. I am now led to believe that blame attaches elsewhere: give me, therefore, the documents which will enable me to judge whether that belief is ill or well founded. These are the grounds on which I object to the present resolution. The object which I have in view, is not to condemn Lord Amherst, but to call on the Court of Directors to grant me farther papers. I say that we are not in a condition to show that the war with the Burmese was on our part unprovoked; I say that we are not in a condition to show that the Burmese had no just cause of complaint against us; I say that we are not in a condition to approve either of

the origin or the conduct of the war; and I say that this appears even on the papers which have already been granted us.

I think that it will not be disputed that one of the great duties of an executive government is, to provide ample means of sustenance for the troops which it despatches upon foreign service, since nothing is more necessary to ensure their success than the abundance of such means—nothing more certain to ensure their defeat than the want of them. I recollect that, when a change was recently made in our commissariat department, the principal reason alleged for it was the necessity of supplying the troops with greater rapidity and certainty than had hitherto been displayed. Now, I am obliged, by facts which have come to my knowledge, to contend that the Bengal army never left its cantonments, on its own soil, less amply provided against want than it did during this last war, and that much of the disease and disappointment it experienced arose from that cause, and from that cause alone. My complaint is not that our troops in Arracan died so much from disease as that they died from the neglect of the Government, in not furnishing them with the proper supplies. I do not say whether Lord Amherst or the Commander-in-Chief of the Forces is most culpable for that neglect, but I state the fact of its occurrence, in order to ask the Court to postpone its vote on the resolutions now before us, until it receives the Report of that Court of Inquiry which was appointed to examine into that very matter. I understood that such an outcry was raised in India, owing to the shameful and unnecessary want to which the army was exposed, that it was utterly impossible to resist the call for inquiry. I understand that the want led to disease, and disease again to death, until, at one time, there could not be mustered, in our whole army in Arracan, more than 180 men who were perfectly sound and able to perform military duty; and that, if the Burmese had possessed ordinary enterprize, along with the knowledge of that fact, the whole of that army must have been cut off, without any chance or possibility of rescue. This is an important point in the consideration of the conduct of the war. I must, therefore, persist in blaming Lord Amherst until I know some reason to the contrary. He was the head of the Government, and was bound to take precautionary measures, not only for the military support, but also for the animal sustenance, of the army; and, I say, on behalf of our troops, who exhibited, in that campaign, as much gallantry as was ever exhibited by any set of men, that it is imperative upon us to inquire fully into the matter, in order to prevent the recurrence of such disasters in future. The inquiry is one in which not the dead, for their toils and sufferings are over, but the living, are interested; and it is on their account that I call for those documents which will enable us to understand the series of disasters to which their dead comrades were exposed. This forms another reason why I cannot concur in the vote which is proposed to us.

I have now stated, Sir, what I believe to have been the conduct of Lord Amherst; let me now state how different was the conduct of Sir T. Monro. (*Loud cries of hear.*) I have seen statements so honourable to that officer's judgment and humanity, and bearing such strong testimony to the attention, precaution, and foresight, with which he provided for the wants of the troops which he sent into the Burmese territories, that I should do injustice to my own feelings if I did not mention his peculiar merits to the Court. Oh! that Sir T. Monro had been at the head of the British Government when these unfortunate dissensions first took place! What a different course would he have pursued! Thousands of valuable lives, which were sacrificed by the climate and disease, would have been saved for the service of the country. The rapine which is always unavoidable in cases of actual hostilities, would have been either prevented by the continuance of peace, or considerably repressed by his personal influence. I say this because I could wish the Directors not to allow any motive of private interest, any feeling of private friendship, or any solicitation of official personages, to bias them, to send out a man to govern India whom they believe, in their consciences, to be incompetent to so arduous a task. Is there any man at that bar, within which you sit, who, at the time he concurred in appointing Lord Amherst to the government of

India, thought him qualified to meet the danger of an extraordinary emergency? I have heard that a great diversity of opinion existed among yourselves as to the expediency and propriety of his appointment; and I think that you are responsible for the evils which arose from it, not only in the sight of God, but also in the sight of man. But, if you are responsible in the first instance, is not the Court of Proprietors equally responsible in the second? You, the Directors, only act for us, the Proprietors: you are the representatives of our feelings, and ought to be the guardians of our interests; and, if you neglect your duties, we possess a controlling power, which, on occasion, we can exercise over you. (3) If then such scenes, as I have described, arise from your electing individuals who are unequal to the arduous offices they are appointed to fill, the blame is not entirely yours; let us, each of us individually, take the share which belongs to us; let us endeavour, in future, to amend the errors into which we have fallen; let us not look to the party to which the candidates for our high situations belong, but to their fitness and competency to discharge them; and let us each, in our individual stations, behave as wise, and honest, and disinterested men, in disposing of the patronage which we have to bestow. (4) (*Hear, hear, hear.*) I know that there are several gentlemen now before me, within the bar, who opposed the appointment of Lord Amherst to the situation of Governor-General of India; but I also know, as every man who hears me must know, that there were others who strenuously supported his appointment; and those individuals must take their share of blame for having done so. I again repeat that we are not in a condition to award our approbation to Lord Amherst. I am not now speaking of him in his capacity of a private gentleman—I hear from all quarters that, in private life, he is a respected and respectable character; but the qualities which render him so are not all that is wanted in a public functionary. I believe, in my conscience, that more mischief has been done to mankind by ignorance and imbecility than by roguery and iniquity. (*Hear, hear.*) If I look at the evils which have arisen from inconsiderate legislation; if I look into the page of either ancient or modern history; if I turn over the great book of human nature, with all its long list of miseries and crimes, I find pregnant proof of the correctness of my assertion. I believe that, if an account current were kept of the mischief occasioned by ignorance, on the one hand, and by wicked intention, on the other, and a balance were struck between them, it would appear, that the sum of human misery, arising from ignorance and imbecility, was far greater than that arising from the intention of men in power to commit acts of depravity and cruelty. (*Hear, hear.*)

I have thus, not unnecessarily, I hope, trespassed upon the attention of the Court. The question before it is one of paramount importance, and, if the vote of this Court be worth any thing, it derives its value from being given with calmness and deliberation. (*Hear, hear, hear.*) I say that I am not prepared to give the vote which you require of me; I have explained, at considerable length, my reasons for saying so, and, therefore, without occupying any more of your time, which I deem unnecessary, as I shall have another opportunity of discussing the affairs of Bhurtpoor, I shall now move, as an Amendment, that all the words of the original resolution, after the word “that,” be expunged, and the following inserted in their stead:

“This Court cannot agree to vote its thanks to Lord Amherst for his conduct in the war with the Burmese, as the details of the causes and progress of

(3) Unfortunately this is not the case, and therefore the utter indifference of the Directors to such control.

(4) The Proprietors have no patronage whatever, as Proprietors; and if they want even a cadetship for a son, must beg it as a favour of one of the Directors; while, in the matter of appointing men to higher stations in India, and recalling them when they fail to discharge their duty, the Proprietors of India stock are as powerless as can well be imagined.

that war are not laid before the Court, to enable it to form a calm and deliberate opinion on such an important subject; and especially as the 24th of Geo. III., cap. 25, sect. 34, declares, that 'to pursue schemes of conquest in India is repugnant to the wish, the honour, and the policy, of the British nation;' and enacts 'that, it shall be unlawful for the Governor-General in council, of Fort William, without the express authority and concord of the Court of Directors, or of the Secret Committee, either to declare or commence hostilities against any of the Native Princes or States in India, except when hostilities shall have been commenced, or preparations actually made, for the attack of the British nation in India;' of which, in this particular instance, the Court has received no satisfactory account; and, as Lord Amherst did commence hostilities, and invade the territories of the Burmese Government, without the authority and concord required by law, this Court cannot award its approbation to his conduct."

After the motion had been put from the Chair, Mr. HUME again rose to make a single observation.—Lest it should be supposed that he wished to imply censure upon any other individuals than those whose names were mentioned in the Amendment, he thought it necessary to declare, once for all, that he wished the Court to suspend its judgment upon their merits until it was put in possession of further information.

SIR JOHN MALCOLM and Dr. J. B. GILCHRIST rose together to address the Court, but SIR JOHN MALCOLM having first gained the Chairman's attention, was directed to proceed. He declared that he came to the consideration of this question with the utmost impartiality, as he had neither had leisure nor opportunity to read the voluminous documents which had been prepared for the perusal of the proprietors.

Dr. GILCHRIST here declared, that he was intitled to be heard before Sir John Malcolm, as he rose for the purpose of seconding the Amendment proposed by his hon. Friend, the member for Aberdeen. After he had been compelled to silence, by calls for Sir John Malcolm to proceed,

SIR JOHN MALCOLM continued his address.—He merely rose to say, that, though there were many points in the speech of the hon. Member for Aberdeen in which they must all agree, there were also several against which he felt it necessary to enter his most solemn protest. He felt himself imperatively called upon by the course which the hon. Member had pursued, in referring so often to his recent publication, to declare his own views of his own statements, and to show how very widely they differed from those which the hon. Member had thought proper to take of them. The impressions on his mind were deliberately made, and as deliberately given to the public; and, if he recollected any thing of the words in which he expressed them, by no means warranted the conclusions which the hon. Member has deduced from them. He did not complain of the hon. Member for deducing such conclusions; on the contrary, he had every reason to thank him for the kind and generous manner in which he had spoken of what he (Sir John Malcolm) had written. He must, however, state, in his own justification, that he had confined himself, in his work, to facts, and that he pretended to nothing more than to record those facts faithfully. In the first place, he must declare that, in his opinion, nothing could be more fair to Lord Amherst than to dispose, at once, of the circumstances which related to the settling of the Mugh emigrants on the Chittagong frontier. As to the faults committed in locating them there, if faults they were to be called, surely they were the errors of humanity; and errors of that description were, as the hon. Member had well observed, such as every one of them would be inclined to pardon. He might be wrong in the opinion which he entertained on that subject, but he certainly could not concur in approbation of this policy, which placed them so near to that particular frontier.

The gallant General then proceeded to detail the circumstances under which the Mugh emigrants sought the protection of the British Government, and asserted his belief that, after they had obtained a place of refuge in our

dominions, they were guilty of atrocities of the most appalling description. We settled them where we thought that they would become more civilized and humane, but they disappointed our expectations, and, instead of cultivating the arts of peace, committed the most unjustifiable depredations on the inhabitants of the Burmese territories. Every thing was done by the British Government to repress and prevent these disorders, but, from the impenetrable nature of their country, which was one entire jungle, our efforts were not as successful as we wished. The Mugh, however, did not confine their depredations to the Burmese—they committed them also upon the inhabitants of Chittagong, and thus became, not our subjects, but our rebels. We had, in consequence, made a boundary alliance with the Burmese Government, which enabled us to introduce Burmese troops, to put down their disturbances and depredations. That those measures were not perfectly successful—that the Mugh emigrants still occasioned irritation to the Burmese Government—that the Burmese Government complained of them, and complained of them repeatedly to the British Authorities, were facts which, he believed, could not be contradicted. It was impossible, however, that we, knowing the horrible cruelty with which the Burmese Government had treated those unfortunate emigrants, could abandon them entirely to its power and disposal. A sense of what was due to justice led us to repress their outrages with a strong hand—but a sense of what was due to humanity, forbade us to deliver those who were guilty of them, up to the Burmese. Whatever mischief they might commit, the original sin of the whole transaction rested with those who had compelled them to emigrate, in a body of forty or fifty thousand men, and to resolve never to return to their own country. The language which they had used, in throwing themselves on the protection of our officers, was too extraordinary to be ever forgotten: “Return to Arracan we cannot. If you choose to slaughter us here, we are ready to die; but if, by force, you drive us away, we will go and dwell in the jungles of the Great Mountains, and will seek, in them, that shelter which they afford to the lion and the tiger.” Could we have forgotten the direful necessity which produced this language, we should have soon been compelled to make the discovery, that, on our eastern frontier, the petty Rajahs, who had neither the power nor the disposition to make encroachments, had all of them been swept away by a proud and ambitious Government, which was, at once, ignorant of our strength and foolishly vain of its own.

Lord Minto, than whom a more moderate man never lived, was so well aware of the trifling importance which the Burmese attached to the preservation of friendly relations with us, that he more than once declared it to be his opinion, that a war with them must happen before long. He would not carry on an account current of the atrocities which were committed by the Burmese on the one side, and by the Mugh emigrants on the other—but this he would say, paradoxical as it might appear, that, in our efforts to preserve the peace between them, we had not been as cruel as we ought to have been. (*Hear, hear.*) He made that assertion upon due deliberation. When he met men, who imbrued their hands in blood without hesitation, and made no scruple of sacrificing human life to obtain a paltry, and, perhaps, a transitory, advantage, he was not for treating them with any excess of humanity. He contended that many great statesmen had acted upon the same principle, and especially in countries where barbarism appeared to form the law and the custom of the land. We had, however, followed a different policy; we had shown forbearance where we ought to have displayed severity; and, under such circumstances, could the hon. Member be surprised at seeing that there was, on the part of the Burmese Government, a growing spirit of aggression.

Mr. HUME.—I did not say that there was any such spirit in the Burmese Government.

Sir JOHN MALCOLM.—No, but I say that there was, and I am ready to prove it.

Mr. HUME.—All I can say is, that if you do, your own book says the contrary.

Sir JOHN MALCOLM contended that the growing spirit of aggression was visible in every act of the Burmese Government. In its conduct, it became more arrogant, in its letters more insulting. Its ministers threatened, and its agents intrigued against us. Its intention to excite a confederacy of the Mahratta States against us was scarcely disguised from us, and was only frustrated by not permitting its Ambassadors to advance, as they desired, to Benares. It was not always practicable, either in public or private quarrels, to look to the original causes of them; and in this particular instance he must say, that Lord Amherst, to whom their vote of that day was limited, ought only to be considered responsible for the state in which he found the quarrel between the British and the Burmese Governments, and not for the causes which led to it originally. In his humble opinion, Lord Amherst was bound to consider them no further than they were connected with the general interests of the state with whose administration he was charged.

With regard to the observations, which the hon. Member had made respecting the propriety of limiting our operations against the Burmese to boundary warfare, he would merely declare, that from all he had seen of that species of warfare, it was one in which it was not for the interest of the British Government to engage. The British Government must not speak, but act; it must look at once through every question; it must say at once to its adversaries, "I will take such and such measures, if you do not desist from your present offensive proceedings;" and it must always be prepared to perform what it said. (*Hear, hear, hear.*) Lord Amherst, in proceeding on the policy which he found in operation on his arrival in India, was bound to follow up by war the declarations which had been made against the Burmese. He (Sir John Malcolm) fully agreed with that excellent man Lord Minto, that war must sooner or later have taken place with the Burmese; and he was fully convinced that if it had not taken place two years ago, it must have occurred before the next five years had drawn to a close. (*Hear, hear.*) The Burmese had never had an opportunity of measuring their strength with ours, they despised the Native powers whom we had conquered, and had, therefore formed an erroneous idea both of their own strength and of ours. A severe lesson was therefore necessary to inspire them with a sense of their own weakness and of our superiority. With regard to the war itself, he must beg leave to remind the hon. Member that it bore not the slightest analogy or resemblance to that with the Pindarries. The Pindarries were a set of migratory ruffians and plunderers, whereas the Burmese formed a state which had sent regular representatives to us to treat about different matters. He admitted that both Lord Minto and Lord Hastings had evaded a war with the Burmese by every means in their power; and it was perhaps that very circumstance which rendered war inevitable on the late dissensions. As to limiting the war to the mere local defence of barriers, he had only one word to say—of all the different species of Indian warfare with which he was acquainted, none was so expensive as that of frontier warfare, none so unlikely to forward the military fame and character of Great Britain. He should ever contend, that Lord Amherst, having once commenced the war, acted rightly in prosecuting it as he did. The hon. Member had asked the Court with great apparent confidence, whether any prudent officer would ever have thought of sending troops to Rangoon during the continuance of the monsoon? He was not bound to tell the hon. Member what he himself would have done had he been with that expedition; but this he (Sir John Malcolm) would tell him, that he would not have ventured with such scanty details as the hon. Member possessed, to say that this or that measure was impolitic and improper. He knew from experience, that the determination of officers was often ruled on the spot by a thousand circumstances, which could not be communicated to distant readers. He could not tell what information they might have had which it might be deemed prudent to withhold from the public at large. He could not tell whether the rivers might not have been deemed practicable for a *coup-de-main* on the principal towns in the Burmese empire. It might have been his own opinion before the commencement of the war, that the fall of

Rangoon would lead to a speedy termination of it; and he might, like others, have been deceived in that expectation. The hon. Member had alluded to the blunders made by the British Government at home in the management of the expedition to Walcheren. If such errors could take place respecting an island so near our own shores, surely the hon. Member might make some allowance for similar errors in Indian warfare. If we had been disappointed in our expectations of advantage from the capture of Rangoon, was that sufficient to make us look with disapprobation upon every enterprize which followed it? We had seen several of the great men whose images stood in that Court, fail in their first enterprize, and yet succeed afterwards.—Was such failure, he would ask, ever remembered as a blot upon their characters? Certainly not; and he would therefore ask the hon. Member, in common fairness, to extend that indulgence to Lord Amherst which he would deem it unjust to withhold from any other officer? Whatever the hon. Member might presume to do, he (Sir J. Malcolm) would not presume to say, that the season of the monsoon was not the most proper season during which to send our troops to Rangoon; for he saw clearly, that if the time for military operations had been lost during the fair weather, instead of the foul, he should have been tauntingly asked, why he had not sent them to Rangoon during the foul weather, in order that they might be ready to take advantage of the fair weather when it arrived? The hon. Member, from the commencement to the close of his speech, had been perpetually calling for papers, had repeatedly complained that the information given in the thirteen folio volumes laid before the Proprietors was not sufficient for his purpose, and had over and over again declared, that the want of necessary information was his reason for not concurring in the present vote. Now, he could have wished that the hon. Member would have suspended his condemnation on the very same account that he suspended his approbation. For if the Court had not sufficient grounds to applaud Lord Amherst, neither had it sufficient to condemn him; and indeed some points of the hon. Member's speech reminded him of what was called in their common country "Jedburgh Justice," by which a man was hung first and tried afterwards. (*A laugh.*) He was sorry to hear the subject of Bar-rackpoor introduced by the hon. Member into the debate of that day. The freedom of discussion, which no man valued more highly than he did, (5) would not let him call the hon. Member to order; but his hon. Friend, if he might be permitted to use that title, would allow him to say, that in introducing that topic, he had wandered completely out of the record. His hon. Friend could not say whether it was on Lord Amherst, his Council, or the Commander-in-Chief that he ought to enfix his censure; and every thing that he did say, respecting any of them, was marvellously inconclusive. As a military man, he would assert, that the Governor-General could have nothing more to say to him whilst he was in command of a regiment, because it was under his (the Governor-General's) eye, than he would have to say were it a thousand miles from him; and as to Sir E. Paget, God forbid that the Court should come to any conclusion detrimental to the character of so distinguished an officer, on the mere hasty assertion of a private letter. Let them consider calmly the anxious situation in which that officer was placed. Those, who had been in the midst of a mutinous soldiery, who know the danger of an improper speech, look, or gesture, and who considered the necessity of acting with promptitude and decision, would not pronounce harshly on what an officer of character did in such circumstances. With respect to the general order, which was issued after the mutiny was quelled, it appeared to him that his hon. Friend had assumed as facts, certain circumstances which were not borne out by any evidence which he had yet seen. His hon. Friend had told the Court, that the

(5) That is, when Sir John Malcolm is himself a complainant against the measures of Government; but not when other persons dare to arraign the conduct of their superiors; for then Sir John Malcolm has declared freedom of discussion to be fraught with evils and dangers!

Native officers were loyal to a man, and that they had rallied round their European officers, when called upon to do so by their allegiance to the Company. Now he (Sir J. Malcolm) must give the Government of India credit for acting with common prudence, and would therefore surmise, that certain facts had been laid before it, which had not come to their knowledge. Whilst he admitted the right of his hon. Friend to call upon all occasions for *proper* information, (6) he must still contend, that he had no right to demand the publication of all the secret papers of Government. He would suppose a case, in which such publication would be productive of the most dangerous consequences. He would suppose that a regiment had mutinied—that the mutiny had been suppressed—that a committee of officers had been appointed to examine into the causes and progress of it—that they had discovered that the mutinous spirit was widely spread through the whole army—and that they were all unanimous as to the danger of encouraging that spirit, by making the knowledge of its existence public. Would his hon. Friend, in such a case, demand the publication of the report made by the examining officers? (7) The case which he had just put was not altogether mere matter of supposition. He had himself been a member of the commission which was appointed to examine into the mutiny at Vellore, and had been appointed to draw up its report with the assistance of another officer. What did the hon. Member think was the advice which they gave to Government on that occasion? It was this: "Stop your commission instantly—inquire no further—you are sitting upon gunpowder—it is your fate to be there, and you will incur less danger in remaining where you are than in publishing what will spread far and wide the disloyalty of your army." (8) The Government adopted the advice which was suggested to it, for it was well aware that the spirit of defection would increase most rapidly, if it were once officially declared that it was in existence. He would ask the hon. Member to apply the reasoning upon that mutiny, to the present case, and to consider whether it might not justify the withholding for the present of the Report of the Commissioners of Inquiry.

As to the violation of the Acts of Parliament made to prevent our Indian Government from indulging in schemes of aggrandisement and conquest, those who knew his opinions on that subject, and unfortunately, perhaps, they had been become too well known, would pardon him if he abstained from saying more than a single word. This war was forced upon Lord Amherst by the concurrence of uncontrollable events, just as former wars were compelled upon his predecessors. He should now conclude with thanking them for the patient and attentive hearing with which they had indulged him, and with stating, that he had one principle diametrically opposite to that which had been avowed by the hon. Member for Aberdeen. That hon. Gentleman had called upon the Court to withhold its approbation from their executive body, until all the Proprietors individually and collectively had had the requisite papers laid before them. He (Sir John Malcolm) was a great friend to discussion, and appreciated its value both in that Court and elsewhere, (9) but he must be forgiven for saying that he did, in this instance,

(6) That is, such information as the Directors think proper to give, which will not include any thing that tends to cast censure on the acts of their Government.

(7) Undoubtedly; because the very universality of the dissatisfaction would show that there were strong grounds for its existence; and the removal of these grounds, which would undoubtedly follow such publicity, would most probably remove the dissatisfaction itself.

(8) Here, then, at least, the fact *is* published; and as the debate will be read in India, every one may know it now. It is a mere question of time, therefore; and the Barrackpoor mutiny has now been sufficiently quelled to make the publication of the Report on it, as safe as this declaration of Sir John Malcolm on that of Vellore.

(9) However often Sir John Malcolm may repeat this, while his speeches *against* the freedom of discussion in India remain on record, no one will give

think that his hon. Friend's opposition was carried to the extreme. His hon. Friend refused all confidence to the Court of Directors. He (Sir John Malcolm) pursued another course: when his information was incomplete, he should think himself irrational and absurd if he could not give his confidence to the Directors whom he had himself appointed to their important trusts. With this impression on his mind, he should give his cordial concurrence to the resolutions which they had proposed.

Dr. GILCHRIST.—I am desirous of saying a few words in support of the Amendment, but I can assure the Court, that it requires some courage to stand up and deliver sentiments which are in opposition to those of the great majority here; I, however, feel it my duty to pursue this course. "There is a tide in the affairs of men," and, unless we are prudent, we may be turned by the course into an abyss of misfortune. Such has been the fate of greater and more powerful Governments than that of British India. The lust of dominion was observable in the acts of the British Government, in all parts of the world. We are about to lay hands on Portugal—we have already seized upon a great part of the Ionian Isles, and we have exhibited similar conduct in almost every part of the world. The country is, at the present moment, placed in the situation of Janus of old, looking two ways at once. We are called upon to contemplate a retrospective war—that finished in India; and a prospective war—that about to commence in the Peninsula. Now, with respect to the question before the Court, I say, that if we express our approbation of the late war, and of the manner in which it was conducted, without further investigation, we shall be acting in a blindfold and precipitate manner. We shall not do justice to ourselves, nor, do I think, we shall do justice to the noble Lord, to whom the resolution refers. Most of the topics introduced by the Mover of the Amendment, meet with my entire concurrence; but I shall not attempt to enter into any detail on those subjects, in an assembly which manifests so much impatience. My hon. Friend was justified in complaining of the want of proper information relative to the subject before us. I went to the room where the papers are placed, for the perusal of Proprietors, and such a mass of documents—such a jungle—such a wilderness of papers, was actually enough to shake the stoutest heart. (*A laugh.*) But, from even this heap of papers, I have been able to perceive that the late war was unjustifiable in its origin. The island of Shapoorce, which was the subject of dispute, is out of the Company's boundaries. A boatman, it appears, was shot by the Burmese, whilst passing through the Island. What was it becoming in the Governor-General to do thereupon? He ought to have remonstrated with the Burmese Authorities, and, if he could not have obtained redress for the outrage, there would have been no great harm in sending a ship of war to Rangoon; but I do not think he was justified in entering upon an expensive war. This is my impression at the present moment, but I think our information on the subject is incomplete. So important a question as that before the Court, ought not to be disposed of without due deliberation. I would wish to know how many of the Proprietors have looked at the papers. The thinness of the Court is also remarkable. When a candidate offers himself for the Direction, we can muster in thousands, though, upon a question of such importance as the present, the attendance is far from numerous. (10)

him credit for any profession of attachment to this freedom, either here or elsewhere.

(10) The reason of this is plain. Almost all the voters for candidates who aspire to the Direction have something to hope for, from the success of the particular individual whom they wish to see seated in the Direction. Cadetships, writerships, appointments, contracts, jobs, all these operate upon their hopes and fears: but whether a war be just or unjust, successful or unsuccessful, affects no Proprietor of India stock in his pecuniary interests: he gets his 10 per cent. dividend if Indian wars are ever so unjust or ruinous, and he gets no more let them be ever so just or profitable. Why, therefore, should he

Again I beg to impress upon the Court that the spirit of conquest, which animates the British Government in India, will lead to lamentable results. If we refer to the history of ancient times, we find, that the overthrow of the Roman empire was owing to the extension of its territory. The provinces became too remote from the seat of government, and, at length, the immense empire grew unmanageable. Our situation in India is fast assimilating to this. We are placed in this extraordinary situation, that, to go forward is dangerous—to recede is worse, and, to stand still is impossible. Under such circumstances, the Executive had a difficult duty to perform; at the same time, I do not think Lord Amherst was justified in the course which he has pursued, particularly as it appears to me, that he has acted in the teeth of an Act of Parliament. I think that, if his Lordship had satisfied himself with sending only a single vessel of the Bombay Marine to Rangoon, it would have brought the Burmese Government to its senses. It is only to the resolution respecting Lord Amherst that I object. With the others, which convey approbation to the officers and troops, I fully concur. Indeed I am willing to go farther than is proposed—I would give them solid pudding instead of empty praise. I would remove the unpleasant difference which exists between their pay and that of the civil service, by paying them in sicca rupees. We ought to thank our good fortune for the manner in which the war has terminated, rather than the prudence and foresight of those who conducted it. If it had not been for good fortune, we should, in nine instances out of ten, of our Indian wars, have been losers. It is said that “the Devil takes care of his own;” and certainly, in this war, he has taken care of us. (*A laugh.*) No Proprietor present would, if he were on a jury, give a verdict, upon even the most trifling case, without a full knowledge of all the circumstances connected with it. I hope we shall not act with less circumspection in a matter of such importance as this. I would ask, whether more than 20 Proprietors, out of the 2000 which compose the body, have read the papers on the subject, and understand them when they have read them? Instead of presenting us with such a mass of papers, the Directors should order a faithful abstract of their contents to be made. A person might find time to read that; but, with respect to the papers, there were not many who could do so. It is understood, that some individuals, in the Court of Directors, dissented from the resolution before us; who those individuals are we have no means of knowing. In that respect, their situation differs, materially, from mine. I come forward openly to oppose this resolution, and, by so doing, I expose myself to all the injury which Lord Amherst, or his friends, have it in their power to do me. My conduct, in this Court, has already acquired me the enmity of some persons. I hold in my hand a libel upon me, contained in the Bengal Government Gazette. I do not say, however, that Lord Amherst sanctioned this libel. It is here stated, that I know nothing of the languages of India—that I cannot impart the least information on those subjects—and that the cadets, whom I teach, cannot be understood in India. These are known to be untruths. (*Hear, hear.*) Let any of my pupils be placed before a Lascar, or a Sepoy, and see whether they will not be understood. This libel, I have reason to think, has originated in

waste his time in fruitless attendances, where nothing is to be gained by his presence, his speeches, or his vote? No! he reserves himself for elections, when he will come to town from 300 miles distance, to be present in the balloting-room; because a good thing may reward him for his trouble; and he will oblige his particular friend, the candidate, so essentially, that though no promises are actually exacted, he may be able to tell him at some future time the undeniable truth, that “one good turn deserves another.” The cure for this evil would be, to let the dividends on India stock be according to the actual profit or loss of the Company’s trade and revenue; and then we should see crowded courts and hot contentions, when the issue of a measure or a debate would affect the fortunes of Proprietors to the extent of two or three per cent. on their capital. There is no other lever by which the ponderous mass appears capable of being moved.

what has passed in this Court. It is calculated to injure my literary property, on which I have expended 10,000*l.* It is to such attacks as these that I expose myself, by coming forward in this Court: say the libellers—"Mr. Hume has made such and such a motion, and Doctor Gilchrist has seconded it—we must tell the world that his books and his method of teaching are bad."

To come forward under such circumstances, and to face meetings like this, requires no ordinary degree of courage. I, however, feel it my duty to say, laying my hand upon my heart, that I cannot conscientiously give a vote of unqualified approbation to Lord Amherst, and I glory in the idea that there are some persons behind the bar, who entertain sentiments similar to mine. Nobody knows who they are; but here I stand openly to avow my opinions. So far as I have been able to examine the papers, I can find no justification for commencing the war, except such as the wolf in the fable offers for his attack upon the lamb. The Burmese Government appears to have been placed in precisely the same situation as the Portuguese Government, whom we are defending at the present moment. I second the Amendment, because I think we have not at present before us sufficient information to authorise us whether to approve or condemn.

Col. STANHOPE and Mr. R. JACKSON rose at the same moment; when the Chairman calling upon Mr. Jackson, the gallant Colonel gave way.

Mr. R. JACKSON.—I hope the hon. Proprietor will excuse me for taking precedence of him, as I have already given way to the hon. Baronet, (Sir J. Malcolm.) I rejoice that I did so. I heard his speech with much pleasure, and the only fault that I find with him is, that he forbore to give a decided opinion upon one very important point, although he said enough to satisfy us as to what his opinion really was. We are called upon to express our opinion upon a question of the highest moment, not only to the noble individual to whom the resolution refers, but also to the Court of Directors and ourselves. I do not think the hon. Proprietor who lately addressed the Court, is justified in withholding the expression of his opinion on the ground that he has not read the papers. I think it is the worst of apologies to say, that one has not applied one's industry to the means which have been afforded to us of coming to a right conclusion. In December last, a resolution was submitted to this Court, having for its object the recall of Lord Amherst. I opposed that resolution, notwithstanding the great respect I entertain for the characters of those by whom it was submitted to our consideration. I said it would be unjust to agree to a resolution which must for ever destroy and blast the fame of the individual alluded to, until we had better means of coming to a right and honest judgment, than we then possessed. Under this feeling, I moved for the production of all papers which had been received relative to the war. This motion was opposed by the Chairman, upon grounds which I had no right to complain of. He stated that the papers had come under the observation of the Secret Committee only—that 21 Directors, whom we had elected under the idea that they were perfectly competent to fulfil the duties of their office, were as ignorant of the contents of those papers as I, or any other man could be, the Secret Committee being bound by oath, not to reveal one iota of information without the permission of the Board of Control. What could be the reason why the Board of Control did not sooner relieve the Secret Committee from their oaths? Was it the object of Government, with that adroitness which is imputed to it, to teach the world how few persons were necessary to manage the affairs of the East India Company, with the view of curtailing some of our privileges when next we shall have occasion to apply for the renewal of our charter. Be that as it may, we are now in possession of the papers, and the hon. Proprietor who spoke last, has not, I think, offered a fair excuse for not being able to come to a decision at the present moment, by saying that he was lost in a wilderness of papers, and had time to look them over only cursorily. He ought to have perused them carefully, in order to ascertain whether or not they justified the vote of approbation proposed to the Governor-General.

My hon. Friend who moved the amendment, has put the question in a fair and manly way. He contends, that unless it can be shown that the war was just and necessary, wisely planned and ably executed, and lastly, terminated in a manner beneficial to the Company, as the resolution purports it to have been, it becomes us to refuse the vote of approbation. With all humility, I conceive it not to be out of my power to show that the war was just, necessary, and inevitable; and, under such circumstances of difficulty, as military history presents no instance of, wisely planned and conducted; and I put it to the common sense of any man, whether the result can be otherwise than beneficial. There is no merit due to him who discovers that the island which was the cause of the late war is a worthless piece of ground. That fact is fairly admitted in the correspondence of the Governor-General. Nevertheless, though worthless in itself, this island became valuable in reference to a point of national right and honour, and it was necessary either that we should lay ourselves at the feet of the most arrogant, powerful, and, up to that time, victorious people, who had ever opposed us in India, or assert our right to this territory.

Let us see how the question of our right to this island stood. It appears to have been long in our possession, and according to the general rule of interpreting landed property, it is proved to be within our boundary by sea marks, as indisputable as any thing which in this country constitutes a land mark. The war began in 1823, and the intelligence arrived in this country in November of that year, yet it was not till July 1825, that the Court of Directors called upon the authorities in India, to state specifically what constituted our right to the island of Shapoorce. That call produced from Lord Amherst a most masterly exposition of the whole question. Only that it would occupy too much time, I would read the whole of this paper, for nothing more important could be brought under the notice of the Court. His Lordship states that we had possession of the island in 1790, and granted a lease to a person who undertook to clear it. Reference is made to a memorandum of this lease. In 1801, it was measured by order of the Government, again in 1809, and again in 1815. All these acts indicated that the possession was in us. But we have the best of all authority for proving that the island belonged to us—namely, the authority of our adversaries. In the answer which the Rajah of Arracan made to the remonstrances of our Government, he stated that the island belonged to him because it was an appendage to the four great cities of Bengal, Moorshedabad, Chittagong, Dacca, and ———, which were his. Now, if these great cities, which, as the papers say, have been in our possession from the time we have held Bengal, belong to the Rajah of Arracan, and consequently to his victorious masters, the Burmese, there can be little doubt that Shapoorce also belongs to them; but if, as is well known to be the case, the cities in question, over which we have long exercised undisputed possession, belong to us, so must also of necessity the island of Shapoorce, upon our adversaries' own showing.

What were the circumstances which caused the question of right to the island to be first agitated? I think they exhibited a premeditated design on the part of the Burmese. One of our vessels happened to anchor off the island, and a boatman who went on shore was shot dead. Remonstrances were made against the aggression. Who was it said, that the first step our Government should have taken, was to remonstrate? Remonstrances were made from every legitimate authority to every legitimate authority; and I will presently read the answer given to those remonstrances. In the meantime we took possession of the island, placed a thousand men there, whom we afterwards thought proper to withdraw on account of an attack of sickness. One of the letters from the Indian Government, dated the 22d of October, contains the answer of the Rajah to our remonstrances. He there states, that the stockade which we had formed on the island, had been destroyed by his orders, and that, if we reconstructed it, he would cause it to be taken by force, adding, that if we endeavoured to retake the island he would invade Bengal. This must not be called mere gasconade; he did

invade the British territory with an army of 5000 men, and cut off our outpost, which the hon. Proprietor who moved the amendment, says was sacrificed for want of proper support. It was one of those unfortunate accidents of war which it is impossible to foresee and avoid. The detachment had already received orders to retire on Chittagong, which, if they had obeyed with more alacrity, would have placed them in safety. Under these circumstances I say, and I speak in the presence of an hon. and learned Proprietor, who can correct me if I am wrong, that we were justified in commencing war upon every principle of national law, and that it likewise comes under the description of a defensive war, for a Government is warranted in commencing hostile operations as soon as it is satisfied that it is the intention of another power to invade its territory. Now what are the state of the facts? Here is an island which has been in our possession ever since 1790, which we have repeatedly scourged, granted a lease of, and all at once it is claimed by another power, which assembles an army of 15,000 men to enforce its pretensions and actually invades our dominions.

My hon. Friend (Mr. Hume) stated that our previous conduct towards the Burmese was such as to justify their aggression. He ought to have recollected that, according to his own showing even, all cause of heart-burning between them and us had ceased for a considerable time, not less than three years, previous to their aggression with respect to Shapoorce. But taking for granted all that my hon. Friend stated, we will suppose, for the sake of argument, that great irritation existed in the minds of the Burmese; that they were worked up to such a pitch that they were scarcely able to control their passions; that, in short, they were in a state resembling a volcano or a magazine of gunpowder, which is expected every instant to explode; are we to condemn the man who anticipated the explosion, which, on my hon. Friend's own showing, was about to take place, and might have involved us in destruction? I must, however, charge my hon. Friend with having stated only one side of the question. He has dwelt much upon our aggressions against the Burmese, but he has omitted to give us any account of their conduct. Language cannot describe the barbarous and monstrous cruelties committed by those devils in human form upon every nation, whom they conquered. They overran our territories and exercised the most unbounded cruelties upon those who had fled from their power. My hon. Friend complains that we cruelly gave up a number of those refugees to the Burmese. The facts of the case are these: the Burmese invaded our territory, and with an insolence which a much humbler nation than we are could not have brooked, declared that unless certain offensive parties were given up to them they would overrun our territory. Our Government replied that it would not treat with them in any way whilst a Burmese foot remained upon British ground. The Burmese force was consequently withdrawn. Inquiries were then made respecting the delinquents, and finding that they were three notorious robbers who ought to be given up by any one country to another, they were accordingly surrendered. I now, having advanced so far, take the liberty to draw this conclusion from the premises which I have advanced, that the war we undertook against the Burmese was just and necessary, and that we should have lowered ourselves in the opinion of the Native Powers if we had not entered upon it at the time we did.

Then comes the question, was the war wisely conducted? Upon this point, I confess, I do not feel myself so competent to give a decided opinion. I defer much to the judgment of the British Government, who approve so highly of the manner in which it was carried on, that as a mark of their approbation they have added the name of "Arracan" to his Lordship's title. My own opinion, perhaps, is, that the war should have been a maritime one. Lord Amherst in his letter states, what is now universally admitted, that there was no such effectual way of stopping the enemy's march as by seizing upon their principal seaport, namely Rangoon. Reasoning prospectively from what his Lordship states to have resulted from the possession of Rangoon, I think I have a right to assume, that similar results would have

ensued from a more extended course of operations of the same character; namely, of maritime warfare. Lord Amherst attributes to the possession of Rangoon, that it compelled the enemy to withdraw the army with which they were overrunning Assam. By holding Rangoon we padlocked them as it were. It was as if an enemy should have possession of Portsmouth. If instead of attempting to march a large army through Assam and Cachar, we had gone on at once to Amerapoora, I am convinced that the war would have been concluded at a tithe of the loss of money and of human life which it has cost. It was the possession of Rangoon which prevented the Burmese from overrunning the territory of Bengal. Already trepidation was felt at Calcutta similar to that which prevailed in London in 1745, when the Pretender was within 140 miles of the capital. The enemy had beaten a detachment of our troops, and were preparing to improve their progress by rendering it necessary for them to bring all their forces to a central point. After we were in possession of Rangoon, about 50,000 men invested the lines, but we succeeded in beating them off easily. It was in consequence of our going so early in the season to Rangoon, that the enemy were prevented from offering a stronger opposition to us. If we had not gone there at that time we could not have been able to obtain possession of the place without a much greater loss than we suffered. This I think is evident from the circumstance, that we afterwards succeeded in beating off 50,000 of the enemy. I am willing, however, to concur entirely with what is stated in the resolution concerning the management of the war. I will not set any floating idea which I may entertain of the superior efficacy of a maritime war, against the opinion of persons who are much better qualified to form a correct opinion on such a subject than I am. The manner in which the war was planned, seems to have been *approved of by all parties*. (11)

Then comes the question, was the war carried on in a wise and statesman-like manner? Of all questions, those which interest the sympathies of the human heart, are the most difficult to treat with calmness and deliberation. Arracan, we know, has been the charnel house of many of our troops. It is difficult to argue against appeals to the feelings, but they must be resisted as other prejudices are resisted. I know not the man nor his connections, neither does he know me or mine. My approbation of him is the result of the most industrious reading of the papers which have been laid before us at the expense of many important engagements. I felt myself bound in honour to make myself as much master of the case, as industry would enable me. With respect, then, to the question, whether the troops ought to have been sent to Rangoon at about the middle of the favourable season, when it was well known that shortly after their arrival the rainy season would set in? What would have been the consequences if this measure had not been resolved upon? If our troops had not gone at that precise period to Rangoon, Chittagong would have been exposed to an army of 20,000 men, and the whole country thence, to Bengal and Calcutta, would have been entirely at their mercy. It is a subject of extraordinary admiration at Calcutta, that the Burmese knew so little of their own strength and of our weakness, that they did not instantly press on to Calcutta; for every body admits that if they had resolved on that *coup-de-main*, we had no force to oppose them. In consequence of taking Rangoon, however, we obliged the enemy to withdraw their troops from our territories. Lord Amherst, in one of his despatches, said, if the expedition had not proceeded to Rangoon, we must have defended Chittagong. We could not have remained passive. We must have opposed

(11) How can this be asserted, after the pointed censures that have been expressed by different speakers in Parliament, and at the India House, on the plan of this war? after the condemnation of it by many of the public writers of England, and some even in India? and, above all, after the marked disapprobation uttered only one hour before, in the same Court, by Mr. Jackson's own "honourable friend," Mr. Hume?

the enemy, and where? In an absolute marsh, where we should have lost as many men as we did at Rangoon, without gaining any corresponding advantage. In consequence of possessing Rangoon, we saved Chittagong from destruction and Bengal from invasion. It is impossible not to lament the unfortunate loss of lives which took place at Rangoon, and which, I admit, was aggravated by the want of proper food and equipments.

It is true, Sir, that we have had the misfortune to lose a great number of men by sickness, brought on in a great degree by fatigue, and much aggravated by the want of that proper food under which our troops laboured for a considerable period. But, Sir, this delay in procuring a supply of fresh meat, as well as vegetables, was caused by circumstances which it was impossible to foresee previously to the commencement of the campaign. Those most capable of forming an opinion on the subject concluded, and with every appearance of reason, that in taking Rangoon almost by surprise, they would then be able to make good their deficiency of provisions. But it turned out that surprise was one of the causes why the place was so indifferently supplied; for the inhabitants, being wholly unprepared for a movement so sudden, had not amply provided themselves, and when it was made, they fled in all directions into the surrounding country; the population of which were, in consequence, prevented for a considerable time from being in a situation to bring in for sale those provisions with which they would otherwise have supplied our troops. Our sick were therefore obliged to make use of provisions totally unsuited for men in their situations, and the mortality amongst the troops became considerably augmented. It is, however, a mistake to suppose, that the sickness which then so unhappily prevailed was a disorder peculiar to that district. The fact was, that it was an epidemic similar in its commencement and its results to that which had been found so fatally prevailed during the last season in Calcutta and other parts of Bengal. Before the arrival of our troops in that neighbourhood, it was generally understood that the climate of Rangoon was more healthy than that of Bengal, but it was unfortunately found that the neighbourhood of Rangoon was as subject to the generally-prevailing epidemics at that period as other districts. But, Sir, I shall not shelter myself under this well-attested fact. I shall meet the case in its worst form, and suppose that the epidemic was peculiarly prevalent in that district; and still, I say, that Lord Amherst's Government had no other alternative than that of sending forward our troops to that place, or else yielding up the whole of Bengal and its vicinity to our invading enemy.

Thus far I have gone fairly into the calamities of the first campaign. In the second campaign, however, a like want of nutritive provisions was not felt by the troops. By a wise and judicious regulation, a constant line of communication between the Honourable Company's territory was kept open by a large number of boats, and by this means provisions for six months in advance were regularly secured. This, Sir, was provided for by the vigilance of the noble Lord, who was to be not only condemned, but disgraced by the rejection of the vote of thanks which we are called upon to vote to him for his exertions. (*Hear, hear.*) But Rangoon was not the only place of which our troops took possession; they also occupied several places on the coast, and thereby established such a line of maritime communication, as must, if properly taken advantage of, be productive of the greatest advantages to the Company's interest in those seas, and give them a powerful command in Eastern India. All this, Sir, had been done by men who were said to be ineffectual—men who were said to have been lying sick and inactive during two whole seasons. Our troops did not confine their services even to this point. They took and destroyed several important stockades with a boldness and bravery unequalled, and by doing so, struck such terror into the enemy that they were afraid to look us in the face with a less number than fifty thousand men. They did, however, look at us with that force, and we beat them. (*Hear, hear.*) They next faced us with an army of sixty thousand foot and three thousand horse at Promé. Again, we attacked them, and again were they defeated; and defeated under circumstances which struck terror and dis-

may even into the GOLDEN FOOT itself. It was not until we had achieved this victory that the enemy had recourse to treaty, and even then resorted to it only for the purpose of delay. By the despatches received by the Indian Government, it appeared that the Burmese, though defeated in every action, were still unsubdued and but little reduced in power. Again, our troops were engaged, and it was not until the enemy were again beaten that the Burman King consented to sign a treaty, in which he conceded, with one exception, every thing claimed by us, and I for one am sorry that we had given up even that one point, I mean the possession of Rangoon. (*Hear, hear.*)

I think, Sir, that I have thus far shown the justice with which the war was undertaken; I think, too, I have made it appear that it was conducted with energy and with talent. It is not for me to detain the Court by pointing out in detail the combination of skill and ability shown by the head of the Indian Government, I shall, therefore, content myself with observing, that the success attending it affords abundant proof of both. If, in ordinary life, you judge of the skill and ability with which a measure is prosecuted by the success with which it is achieved, why, let me ask, should you not apply the same test to the exertions of Lord Amherst, and admit that his brilliant exertions are the result of the ability and skill employed on the occasion? (12) His Lordship had brought his exertions to a glorious conclusion. And against whom had he succeeded? Against a prince whose power was dreaded throughout the East; whose name and arms were dreaded, and had carried terror and devastation into all the nations by which he was surrounded; a prince who had ambassadors at the Courts of all the Native princes, and whose fierceness and thirst of blood and rapine had pointed him out as the scourge and ravager of every country through which his armies passed. The Burman King affected to treat British arms and British authorities with contempt, indeed so far had he manifested this feeling, that he threatened to pursue our troops even into Calcutta, and, no doubt, calculating on his means of insuring conquest, he laid claim to the chief provinces of Bengal as belonging to him. I hold it, Sir, that a prince, with such dispositions, would even at the head of a much smaller force be looked upon as no inconsiderable foe; and when I add to these, the vast power (not less than one hundred thousand men) which he could bring into the field; when we take into consideration, moreover, that his military tactics and skill were only inferior to those of European forces, some correct idea may be formed of the valour and skill by which he was so successfully opposed and defeated.

But, perhaps, I may be told, that the splendid success of our arms was totally the work of chance! If this Court should entertain such an opinion; if you should think that we have taken the most important fortresses of the Burman empire by chance; that we had beaten one hundred thousand men; that we had overcome every difficulty of climate and a bad season, all by chance, then you will be right in refusing your approbation to Lord Amherst. But if, on the contrary, judging by ordinary occurrences, under

(12) Success is not always a sure test of skill or merit; neither is failure always a sure test of the absence of these qualities. But judging even by Mr. Jackson's own standard, we would also ask, (since putting questions, and following them up by ready-made answers, seems to be here the order of the day,) whether that can be called a *successful issue* to a war, which has ended in the expenditure of more than ten millions sterling in money, without recovering back the worth of even one million in exchange? or whether that can be considered a *successful conquest* which has sacrificed some thousands of valuable lives, to put down a foe which a few regiments on our own frontier would have always kept within their own boundaries? and which has drained the treasuries of the state to acquire possession of a country not able to pay the expense of its occupation? These are questions which, we think, most persons would answer in the negative; and if so, the war was not a wise one, nor has its issue been successful.

ordinary circumstances, you shall be of opinion that such successes must have been brought about by ability and by skill, then I call upon you, and I feel entitled to call upon you, to say, whether you can refuse your assent to this vote? (*Cheers.*)

Having said so much, Sir, I now come to the consideration of another point, namely, whether the campaign is likely to prove in its results beneficial to the East India Company. Sir, I maintain that the advantages to be derived from that conquest are more than equivalent for the losses sustained by us in achieving it. Mr. Fendall, then a member of the Indian Government, stated, that peace with the Burmese would not last longer than the Burman King felt it his interest to preserve it. This opinion, Sir, I am not inclined to acquiesce in, because I find that the Indian Government has taken the precaution of possessing many important places in the Burmese dominions, by which we can check all future attempts to make incursions into or disturb the repose of our territory. Some of these, it is true, are unhealthy, and the occupation of them might be attended with considerable loss of life, but then we have the island Cheduba, which is not subject to the same inconvenience, and upon which we may always keep up such a force as would keep the Burmese in check should they be again disposed to interrupt our tranquillity.

There are other advantages arising from this war, upon which I do not feel it necessary to occupy much of the attention of the Court. (13) A considerable sum had been obtained from our enemy as a sort of indemnification for the expenses which we have incurred during the war. (14) Upon the application of this sum I shall be silent, as I feel there are those around me who can do justice to the services done, and the hardships suffered by our brave troops in India during a war of more than two years' duration. I shall, therefore, content myself with calling to the recollection of the Court the noble example set by that army, who though on the point of receiving the reward of their labours, by the possession and spoil of the Golden City (as they fondly painted it) of Ava;—what, I ask, must be thought of the discipline of those troops, who, at the word of command given by their General, Sir Archibald Campbell, gave up their hopes and expectations, and returned without a murmur to their homes? (*Hear, hear.*) Sir, we have no record, no communication even that the slightest expression of discontent has been heard from any branch of our troops upon this unexpected failure of their golden dreams of ease and riches. No murmur was heard, no voice was heard to exclaim, "Shall we now, after all our labours and privations, forego the rewards which we hoped to reap from them? or shall we risk the displeasure of our

(13) But there was no part of the subject so well calculated to secure the vote for the passing of which Mr. Jackson was labouring, as these very details; nay, we will go farther, and say, there is no part of the subject on which he would have dwelt with more zeal and earnestness than this, if he really had materials for so doing. It is the great point in dispute, whether the war has in its issue been advantageous to the India Company or not? and yet their principal advocate here shrinks from this great feature of the whole case, by pretending that there *are* advantages, but that he does not think it necessary to occupy the attention of the Court in detailing them! This is, indeed, a very singular instance of respect for the value of the Proprietors' time, when things the most essential are withheld from them rather than waste their precious moments; while whole hours, nay days, are trifled away in the reiterated delivery of the most unimportant and irrelevant puerilities.

(14) This considerable sum was one crore of rupees (about a million sterling) as an indemnification for the loss of more than ten times that amount in mere money-expenditure only, to say nothing of loss of life and reputation. Of this little of the cost of the war, only one-fourth has yet been paid; and that fourth has turned out, on examination, to be more than half dirt and dross, and no part pure metal; so that, for the loss of ten millions sterling, we have been indemnified by about the tenth part of a million, returning us back just the *hundredth* part of our actual loss!

commander, by moving on to obtain that for the possession of which we have so long looked forward with hope and expectation." No sentiment of the kind was uttered. I might almost say no such thought was entertained throughout the army. This Court then will, I am sure, reward as they deserve those brave fellows who so cheerfully made such a sacrifice, and at the same time set such an example of discipline and obedience. (*Hear, hear.*) And I mention the matter now, not so much to hint to the Court what I conceive to be its duty as to pay the humble tribute of my admiration to an army which had so acted, and so signalized itself in support of the honour and character of the country. (15) (*Hear, hear.*)

My hon. Friend (Mr. Hume) in moving the amendment, objected to the vote before the Court, on the ground that we are not in possession of the necessary information on the subject. Now, I, on a former occasion, expressed an opinion, that before we proceeded to pass a vote of censure on Lord Amherst, we should be in full possession of the whole details of the war. We have now before us, and open to the inspection of every Proprietor, papers since furnished by the Court of Directors, giving the fullest information on that subject, and consisting of thirteen folio volumes, and yet the hon. Gentleman (Mr. Hume) complained of a want of information. (16) (*A laugh.*) An hon. and gallant General opposite (Sir J. Malcolm) has very properly observed, that if there was no evidence before the Court, there surely could be no ground for an expression of our disapproval, by vote, of the conduct of Lord Amherst in the transactions at Barrackpore. Now, mark, I pray you, the inconsistency of my hon. Friend, (Mr. Hume) he refuses to assent to a vote of thanks where every information was before him, and yet he feels in-

(15) No one can be more ready than ourselves to concur in the praises every where so justly bestowed on the conduct of the Indian Army in this campaign. If the plunder of Amerapooa had ever been the object of the Government or Commander-in-Chief, then, indeed, some praise might be due to the leaders for abandoning the original intention. But we have been repeatedly told that the war was not one of territorial acquisition, not one of plunder, but merely a contest to decide whether a sand-lauk, called Shapooree, belonged to the Burmese or the British; and whether, supposing our own verdict in this case not to be acquiesced in by the other party, we could not compel them to give it up to us, and show them our power in such colours as might teach them not to dispute any thing we should say on any future occasion. If these were our only objects, the plunder of Amerapooa ought never to have been thought of. But, making it a great virtue in the Army, not to have murmured when this hope was cut off, shows that Mr. Jackson, at least, conceives this to have been part of the plan of operations; for on what other ground could the troops have ever looked forward to such a scene? The absence of all complaint on the subject may, however, be received as good evidence of no such expectations having generally existed, and it is honourable to the character of the Army to believe that no disappointment was felt by them on this head.

(16) We certainly think that the objections raised by Dr. Gilchrist as to the information being too voluminous for any Proprietor to read through, and of Mr. Hume as to its insufficiency, were not sound ones. There is abundance of information already disclosed—though, perhaps, still not as much as might be produced—to show that the war was unjust, unnecessary, badly planned, badly supported, as far as the measures of Lord Amherst were concerned, and the issue most unfavourable; while the information so studiously withheld, namely, that relating to the Barrackpore massacre, may be fairly inferred to be hostile to Lord Amherst's character; for no other imaginable reason can be conceived for its suppression at such a moment as the present. Then, as to the information being too voluminous, it is the duty of all who would give a correct judgment on the subject to examine and select for himself. If the Directors were intrusted with a power to do this for the Proprietors, the result would be fatal to impartiality.

clined to pass a vote of censure where there exists no ground, inasmuch as we are not possessed of any information on the subject. It has likewise been stated to the Court, by a gallant Officer, (Sir J. Malcolm,) that it was not necessary Lord Amherst should have been informed of what took place at Barrackpoor, and that it mattered not whether his Lordship was near to or distant from that quarter at the time, inasmuch as Sir E. Paget would, in all probability, have adopted the same course, and, in my opinion, that gallant Officer was driven to take that course by dire and inevitable necessity. (*Hear, hear, hear.*)

I fear I occupy too much of the time of the Court; but a few words more and I have done. If any hon. Member shall decline to vote upon this motion, on the ground of not having such information as would enable him to judge of it, (although the documents are open to all,) or if he shall consent to a vote of censure upon the affair of Barrackpoor, (in the absence alike of all information, and of both Lord Amherst and Sir E. Paget,) then such conclusion must be come to, in either case, upon the gratuitous assertion of that which does not appear before us. But I hope and trust that no hon. Member of this Court will adopt such a course. (*Applause.*) Sir, it has been objected against Lord Amherst, in addition to other charges, that he has infringed the laws of his country, by extending our Indian territories, without the necessity provided for by law. Admitting this fact, it is an infringement which has been committed by various Governors without inquiry or blame. True it is, that according to law, no increase of our territory is allowed, because no war can be declared against the Natives unless upon aggression, or threatened aggression by them. Now, Sir, what was Lord Amherst's case—either he must have made war, as other Governors had done upon similar provocations, or else he must have submitted, as other Governors before him must have done, unless they made a like resistance, that is, he must have submitted his neck to the swords of ambitious enemies. The case, then, of Lord Amherst came within both the letter and spirit of the law. His Lordship, it was true, had no power to commence a war without provocation, but he had the power of resisting aggressions. I say, Sir, that those aggressions have been committed upon our territories in India; they were successfully repelled by Lord Amherst with the force placed under his control, and by the spirit and energy displayed in this war, the honour and character of the British name were supported, and, at the same time, the pride of an arrogant, a daring, and ambitious enemy was humbled. (*Cheering.*) It is with these views, Sir, and upon these principles, that I support the motion, and I declare that I have never in my life given in this Court, or elsewhere, a vote with more cordiality or more conscientious feeling.

COL. LEICESTER STANHOPE.—Sir, my hon. Friend (Mr. Hume) has been obliged to absent himself from this Court, in order to attend to his duties in the House of Commons. Before his departure, he requested that I should reply in his behalf to any objections which should be urged against the arguments he had advanced. I therefore feel myself bound to offer a few remarks for the purpose of correcting some statements that have been made against my hon. Friend's opinions—

SIR JOHN SEWELL.—I conceive that the course proposed is quite irregular. The gallant Colonel is unquestionably entitled to address the Court as from himself, but I do not think it consistent with order that any Proprietor should make a speech as the proxy of an absent Member.

THE CHAIRMAN said—I am not aware of any precedent to justify this proceeding of the gallant Colonel, and I should not approve of establishing the principle in the present instance, for if he should deliver a speech as the deputy of the Mover of the Amendment, its conclusion must necessarily preclude any further debate. Such a result must be a great inconvenience, as I dare say several Members are anxious for an opportunity of delivering their sentiments. (*Hear, hear.*)

COL. STANHOPE.—I contend, Sir, that I possess the right of replying on the

part of my absent friend, to any attacks which have been made against the principles narrated in his speech.

Mr. S. DIXON.—I do not think that it will make any difference in the effect, whether the remarks of the gallant Colonel shall be expressed by him in his own person, or as the deputy of the absent Member. The distinction merely regards a formality, and does not affect the arguments that the gallant Colonel is desirous of submitting.

Col. STANHOPE.—I wish, in the first place, to advert to some observations which have fallen from the gallant General, (Sir, J. Malcolm.) That gallant officer has stated that it was not in our power to prevent the attacks of the Mughls, but that the Burmese were differently circumstanced, and might have done so if they pleased.

Sir J. MALCOLM.—The gallant Colonel is in error, for I never made use of the observation to which he has alluded as having proceeded from my lips.

Colonel STANHOPE.—The gallant General had misconstrued what fell from my hon. Friend, Mr. Hume, in attributing to that hon. Gentleman the opinion, that the war originated in the protection that had been afforded to the refugee Mughls. What my hon. Friend meant and insisted on, was, that the protection extended to the Mughls was a distinct matter, and did not require that we should engage in hostilities with the Burmese on such trifling provocation as had been given. It was attempted to justify the adoption of hostile measures on the part of Lord Amherst, by the assertion, that the conduct of Lord Minto had been influenced by similar motives. I however feel no hesitation in denying that assertion, as the course of policy which had been pursued both by Lord Minto, and by Lord Hastings, clearly proved their uniform determination not to identify themselves with either of those Powers. With great surprise, I heard the gallant General declare, that he was not certain whether the rainy season might not be the most eligible time for the commencement of operations at Rangoon. What! the rainy season a proper period for sending troops to that unwholesome climate! Could any officer who was acquainted with the nature of the country, assert as his serious opinion, that such a time was favourable, in such a place, for the commencement of a campaign? The idea appears to me so absurd, that the gallant General when he expressed the doubt, must have surely taken leave of the good sense which usually directs him. (*Hear, hear.*) It has been said by the gallant General, that we were in possession of evidence sufficient to entitle Lord Amherst to thanks as far as his conduct was concerned in the origin and progress of the Burmese war, but that there was nothing on which to ground a vote of censure in respect to the transactions at Barrackpore. But why had not any information been given on the subject? Particular circumstances might indeed have occurred to require extraordinary promptitude of action, but when that exigency of circumstances had ceased, and when months had followed months since its cessation, was it too much to expect, was it unreasonable to demand, that some information on a subject so vitally connected with the interests of the service in India, should be communicated? That delay was certainly a very bad negative argument. But the gallant General has strenuously recommended the expediency of secrecy in these matters, and in confirmation of the necessity of silence on such subjects, has instanced a case when he was appointed one of the Commissioners of Inquiry after the mutiny of Vellore, on which occasion he had suggested to the Company the propriety of a strict secrecy, an oblivion of the past, and a discontinuance of further proceedings. I entertain no doubt of the fact which has been alleged; but I well remember, that notwithstanding his affection for secrecy and privacy, the gallant General favoured the public with an accurate account of the business, in a pamphlet, and a very good one too, which he had written on the subject.

Having thus disposed of the facts introduced by the gallant General, I am desirous of adverting to some topics contained in the statement of the learned Gentleman, and I cannot here avoid expressing my regret, that hon. Members, instead of adhering steadily to the facts in their discussion of a question of

such importance as that now under consideration, should indulge in speeches, irrelevant to the points at issue, and calculated by their length to produce sleep in the auditors. The learned Gentleman had very gravely adverted to the Law of Nations, and had assured us that by it we were fully justified in going to war to protect from invasion our territory, part of which, the Island of Shapoorce formed. The learned Gentleman really appears to me to have been influenced by a professional bias in delivering such an opinion, and I would remind him, that if the Company engaged in war, as some people went to law, for trifles, we should be perpetually involved in hostilities. (*Laughter.*) The learned Gentleman had acquainted us with the magnitude of the preparations which had been made for the invasion of Bengal and the capture of Calcutta. The apprehension of such attempts was too absurd to be dwelt upon, and could never have emanated from any man conversant with the subject. Such an idea however, was by no means inconsistent with the notion framed by a lawyer on military affairs. (*Laughter.*) The learned Gentleman had not scrupled to say, that the Burmese army was ready to proceed to Calcutta, where it might arrive in the space of fourteen days. I do not know by what mode of conveyance he might have facilitated their march, but the calculation is to me unintelligible. The distance was only seven hundred miles, and the learned Gentleman must have supposed, that in order to reach their destination in the prescribed time, the troops must have travelled with the rapidity of his own tongue. (*Laughter.*) I certainly do not intend to express myself in any way which may be deemed personally offensive, but I hope the learned Gentleman, whose pursuits have been directed in a school different from military tactics, will excuse me for thinking that the supposition of the Burmese seizing the four cities of Bengal, and advancing on Calcutta, is perfectly preposterous, and not to be for a moment seriously entertained.

Having thus far applied myself to the hon. Gentleman's facts, I shall now, with the leave of the Court, go over the whole campaign. (*Laughter.*) I do freely admit, that in the progress of that campaign, the highest praise is due to the army; not less for the patience with which they endured the diseases to which they were exposed in the swamps, than for the bravery which they exhibited in the field. (*Hear, hear.*) But, Sir, from this praise I will most certainly except the Governor-General. It does appear to me that the Court never seems disposed to offer a vote of thanks to their Government in India, except when it happens to do something very absurd. To talk of a vote of thanks to Lord Amherst, for commencing and carrying on the Burmese war, reminds me of what has been once said respecting even the Walcheren expedition, "That it had been wisely planned and ably conducted." (*Hear, hear, and laughter.*) Now this war of Lord Amherst's has cost the Company ten millions of money, which is as much as, or even more than was expended in the two celebrated campaigns conducted by the Duke of Marlborough. As to the cause of the war itself, I do contend, that what has been shown will not at all justify it. The existence of real danger to the possessions of the Company, can alone sanction the policy of a war—not such danger as the learned Gentleman (Mr. R. Jackson) apprehended in the invasion of Calcutta; but such danger as would arise from the aggression of a force really calculated to disturb the peace of our territories. And with respect to the attack on our subjects in the island of Shapoorce often mentioned, a few men would have been quite sufficient to repress that. But a mere incursion beyond our frontier line cannot ever be prevented, as we are not able on such an extensive frontier to keep up a police or military force adequate for such a purpose. And after all, the main question, as to whether it was politic to attempt the conquest of the Burman empire, and to detach from it the provinces of Pegu, Arracan and Assam? one observation here naturally suggests itself; it is this: that the Governors-General of India, and their ministers, have had at all times a direct interest in carrying on a war. (*Cries of no, no.*) I maintain that they have. There are a thousand circumstances which contribute to make a war profitable to persons high in

office in India. I will even go farther, I will add, that the hon. Gentlemen within the bar (the Directors) have also a direct interest in a war, as it always increases their patronage; but the great body of the Proprietors have no such interest. Whatever sums might be spent on a war, the amount of their dividends is generally the same. (17)

Nevertheless, they should be cautious of giving their approbation to military excursions which were not called for by absolute necessity. And at all events, I hold, that when wars are commenced, it is the bounden duty of this Court to withhold their approval of them unless they are carried on with ability. Now, looking at the different places in which the Company's troops have been engaged, I cannot conceive that any merit whatever is due to the Governor-General on account of the manner in which the troops were provided for. From one place, they were obliged to retreat in consequence of a want of provisions; from another, through the want of other necessary supplies. As to Rangoon, if it was found necessary to make a diversion in that quarter, I certainly should have no objection that Lord Amherst himself should have formed one of the party who were sent there. But whatever might have been the importance of the possession of Rangoon, surely troops ought not to have been sent there in the rainy season. And here I cannot help expressing my astonishment at hearing any man, pretending to experience, attempt to defend so injudicious a course.

Sir J. MALCOLM.—I beg to observe in explanation, that what I have said was, that independently of the contest arising from the disputed possession of Shapoorée, such was the hostile disposition of the Burmese, that sooner or later war must ensue. As to my not being in possession of information, all I said was, that not having read all the documents which were laid before the Court, I was disposed to place confidence in the recommendation of the Directors, who have full information on the subject, and upon their proposal I most fully concur in the vote of thanks.

Colonel STANHOPE.—I must say that the words, "sooner or later," are very sweeping terms indeed, which may embrace any period however distant. There is no doubt, that "sooner or later" we may be engaged in a war with France or Austria, or some other power; but at the same time, that cannot be a just ground for asserting that there is a probability of an immediate war.

Sir JOHN SEWELL. I am led to infer, that the vote, now submitted to the Court, not coming before us with the unanimous support of the Court of Directors, arises from a doubt entertained by some of them as to the justice of the war. This, I confess, is a point upon which I also have my doubts; or, perhaps, I had better say, that, for the commencement of this war, there existed no real necessity. We have been told, Sir, by a learned Friend of mine, (Mr. R. Jackson,) that he has come to his conclusions after having gone through the thirteen folio volumes, furnished by the Court of Directors for our information!

Mr. R. JACKSON.—I beg to correct my hon. Friend—I never said that I had read through the whole of those thirteen volumes. What I did state was, that I had endeavoured to make myself generally acquainted with the substance of their contents.

Sir J. SEWELL, in continuation.—I, Sir, have devoted an entire day to those papers, and yet have been unable to get through the contents of even a single one of them. I need not, therefore, feel ashamed to confess, that I am ignorant of the information contained in the whole thirteen. I think, notwithstanding, that I know enough—and that this Court, also, knows enough—to justify us in declining to pass a vote of thanks to the Governor-General of India at the present moment. In entering into an inquiry upon this subject, we are bound to take, first, into consideration, the justice of the war. There

(17) These are truths, which, however unpalatable, are really undeniable, and cannot be too often repeated.

are, I find, two letters from the Governor-General upon this subject—the first is dated the 21st of November 1823, and the second is dated the 2d of November 1825. The Governor-General, in his second letter, seems to lay great stress upon, what he terms, the intentions of the Burmese, to carry war into the British territories. From this, it would appear, as if his Lordship was anxious to urge these *intentions* as a cause for the course he had pursued. In his first letter, however, there are two other causes assigned for our commencing hostilities—first, the molestation of the elephant hunters, and, secondly, the dispute about the paltry island of Shapoorce. That this island has been indisputably proved to form part of the Company's territory, has been confidently asserted by my learned Friend (Mr. R. Jackson). I concur, perfectly, with my learned Friend in thinking that, if our title to that is and was fully established, we would be justified in using arms, in defence of our right, against any Power by whom it should be questioned. I agree with my learned Friend, also, in thinking that, if we had cause to expect an aggression was to be made upon us, we were not to wait until the attack should have been actually commenced. An individual, against whom an arm is lifted, is not bound to refrain from resisting till the blow is actually struck. The same principle holds good with respect to nations. According to the law of nations, a Power, seeing that she is about to be attacked by another Power, is perfectly justified in commencing on the aggressive before the other has time to execute her designs.

Now let me, before I go any further, inquire into the real state of the case with reference to the island of Shapoorce.—The geographical position of this little island has been described to us. We have been told that it is contiguous to our territory, from which it is only separated, on one side, by a small stream, whilst, on the other hand, it was separated from the Burman empire by a deep river. It is quite clear, that there is water on both sides of it, as, it being an island, there must be. One great difference relied upon is, that the water on our side is fordable, whilst, on the side of the Burman empire, the river, is deep, and is, moreover, the alleged boundary between the two states. Nothing would have been more easy, upon a contested point of this description, than to have appointed commissioners on each side, to whom the power of deciding all that was in dispute might be given. This, I contend, ought to have been done, or, at least, ought to have been attempted, before the Company was hurried into such an expensive and calamitous war. It has, I presume, been assumed, that the possession of this island necessarily vested in us, because it happened to be within the boundary line of the British territories. This, however, is assuming the whole fact, which is begging the question from beginning to end; for we all know that the territorial possessions of one Power may be situate within the boundary line, though not subject to the jurisdiction of another. I maintain that we have no absolute right to claim the possession of any island, or piece of land, because of its mere juxta position with our territory. This being the case, what other claim of right has the Company adduced? They set up the possession of this island from 1790, as the ground of their claim; that they had got it measured, and had granted a lease of it in 1801—no very remote claim by the bye—as an ancient claim of possession. I believe that our possession, even of Chittagong itself, will be found to have commenced within the memory of man. As our sovereignty over this island of Shapoorce has been of a date so very recent, one would have expected that the lease made of it would particularly set forth its situation, and specify its boundaries. However, on looking over the lease, I find that it is not a specific lease of that island, but that it had been leased, along with another piece of adjacent land—that it had been nominally included in the lease, without any consideration having been given for it. It is added, that the island was measured by order of the Government of India, in the year 1801, (no very remote prescription,) with a view to the collection of revenue: but I have seen a statement in which it is positively asserted, that the person by whom the survey and measurement are said to have been made, had never set a foot upon the island. Seeing, then, that the property of this

island has been, by no means, indisputably vested in the Company, I do think that the Court should pause before they pass a vote of thanks to the Governor-General for having gone to war for the property of an island which he could not prove to have ever formed part of the territory of the Company.

As far as respects the lease, it is clear that the island could not have been let with any view to profit from its cultivation, as it appears that the only use made of it was to drive over a few animals from the main land to it, for the consumption of the rank forage which it affords. The Mughls were accustomed to drive over their buffaloes to pasture there during the day, but they never suffered them to remain on the island during the night, either from a fear of disease or through the dread of being attacked by the Burmese. Now, if the latter cause prevented them from leaving their cattle on the island, it will afford a tolerably fair presumption that the Burmese have never quietly acquiesced in our possession of it, or in the occupation of it by the Mughls.

Thus it is plain that the title of the Company to the island does not rest on *unquestionable* right, whatever might have been the opinions of the collectors of the Indian revenue (in whose survey of measurement it is said to be included) upon the subject. From the papers which have been laid before the Court, I perceive that in the year 1822, the Burmese had two or three houses built upon the island, which the British troops got orders to destroy, and they were pulled down accordingly. This, in my opinion, affords an additional proof that our title was not an undisputed one up to that period. It appears that in the year 1813, there were some individuals of the Mugh nation on the island, and when the question was put to them as to what right they had to be there, they answered that their fathers had a lease of it from one of the officers of the Company in the year 1790. Now, if this was the fact, nothing could be more easily proved. If such, or if any grant, had been made, it could have been very readily shown by the records of the transaction, and thus the date could have been put beyond any doubt. But unsupported by any such evidence, the claim brought forward by those (and they were only two Mughls) must appear too slight to deserve any consideration, because it was certainly very easy for persons in possession of property to profess such a title, but it would have been also just as easy to bring forward evidence that such assent was really in existence, if it had ever been made. Does it not, however, appear somewhat strange that if a lease was really granted in 1790, under which parties were possessed in 1813, a new lease should have been made in the year 1801? If this were the case, it certainly proves that the public business in the province of Chittagong must have been carried on in a most slovenly and careless manner. From what I have already mentioned, I think it must appear quite conclusive, that the Burmese never have admitted that the island belonged of right to the Company, for if they had thought so, was it natural for the Burmese to imagine that they (the Company) would not have erected buildings upon it?

I also think that the papers laid before us sufficiently prove that in the first instance Lord Amherst, the Governor-General, did not believe that this island formed an undisputed, and indefeasible portion of the British territory. If we had possessed an indefeasible right to it, the principle of the law of nations would be equally applicable whether the island contained one acre or one thousand, because if a nation tamely yields one acre of its lawful possessions to unjust aggression, it will well deserve to lose its whole territory. No matter, therefore, how trifling or how insignificant this island of Shapoorree might be; if it really constituted an indefeasible portion of the British territory, it was as much our property as the Castle of Dover or the Isle of Wight, and we should be equally bound to defend it. But what did the Governor-General say, and what opinion did he express respecting this indefeasible right? Why, his first proposition was, that the dispute respecting the possession of the island should be referred to two persons, one to be appointed by each of the powers. What reason was there that Lord Amherst should have adopted such a course? Why should he submit the question to arbitration? If he knew that the island was an indefeasible portion of our territory, he

would have no right to submit the claim of any foreign power respecting it to arbitration. On the contrary, he was bound by his oath; he was bound by his regard for the honour of the British flag, to resist such a claim if it were asserted, by arms, with immediate and with open force. Therefore then, to speak of arbitration in such a case was a dereliction of his duty, unless the noble Lord had in fact a doubt as to our real right of possession; and if he had such a doubt, he should not have involved the Company in a war upon a subject which might have been terminated in an amicable manner.

It appears by the letter in which the opinion of Lord Amherst, declining an arbitration, was recorded, that he had given private instruction to the authorities at Chittagong, not to allow the island to be given up. From this, it appears to me, that his Lordship was not actuated by any sincere feeling in proposing to submit the claims of the Burmese to arbitration, and if he acted with insincerity upon that occasion, I openly assert, that his conduct was utterly unworthy of the high rank and station which he filled in that country. (*Hear, hear.*) It was beneath the dignity of a Governor-General of India to promise that which it was not his intention to perform. (*Cries of hear, hear.*) I say, then, that if there were nothing else to be urged in opposition to the vote of thanks proposed to the noble Lord, that conduct such as this is, in itself, sufficient to justify withholding their assent from that vote. I do hope and trust that this Court will not suffer that vote to be entered upon its records, or allow it to go forth to the world that they have, by their thanks, sanctioned the shuffling and inconsistent policy pursued by the noble Lord in the earlier stage of this transaction with the Burmese. Such a proceeding, on our parts, if allowed to go forth, will have the effect of lessening that character for sincerity and good faith by which the British name has been so long, and so eminently distinguished. (*Cries of hear, hear.*)

Some friends of the noble Lord have set it up as a sort of justification of the course pursued by his Lordship, that the island of Shapooore was neutral ground; they attempted to rake out that it was a kind of "misunderstanding," a spot to which neither the Burmese nor the British had any decided claim, but which had been often enjoyed by both in common. Those who attempt this mode of defending his Lordship, ought, in my opinion, to be ashamed of adopting such a course; such as it is, however, I will examine how far it goes, and how far his Lordship is defended by it. From the papers before the Court, it appears that, in 1821, Mr. Lee Warner had described this island to be what was called a *Chur*, which was explained to be a piece of neutral ground. But is it not, I ask, a little singular that that island which had been claimed as part of the Company's territory so far back as 1790, and which had been described, both in 1801 and 1809, to have been leased out and measured at those periods, should, in 1821, have been described by this gentleman as *Chur*, or neutral ground.

Doctor GILCHRIST begged to inform the hon. Gentleman that the word *Chur* literally meant an island.

Sir J. SEWELL.—Perhaps it may be so. I have only to observe, that, as I read the papers, it appeared to me that neutral ground was meant. But, as I read the papers in considerable haste, I cannot vouch for my having correctly understood them. Supposing, however, that I was mistaken in that meaning, still, I ask, what right had the noble Lord to plunge the Company into an extensive war for the mere possession of an insignificant island, their indefeasible right to which it was not in his power to prove? It is my firm and decided opinion, that the conduct of the noble Lord is totally indefensible, nay, I will go further and say, that by that declaration of war, his Lordship has acted in direct violation of the established law by which the conduct of Governors-General in India is governed. It is specifically declared by the last Act of Parliament for regulating the Government of India, that without the permission of the Board of Control, that no Governor-General shall make war upon a Native Power, unless where it clearly appears, either that actual aggression has been commenced, or is immediately contemplated upon the territory of the Company. By this law, the conduct of the Governor-Ge-

neral is clearly defined, and I maintain that the noble Lord has acted in direct opposition to the spirit of it. I say this, because I feel that even admitting the shooting of a seaman belonging to us to be such an aggression as called for retaliation on our parts, still, as there was sufficient time afforded to the noble Lord to obtain the advice and direction of the Board of Control, his having made war without any such application, was undoubtedly acting in direct hostility to the spirit of the Act of Parliament. That differences existed between our Government in India and the Burmese, relative to the island of Shapoorce, long before the breaking out of hostilities, is very well known.

THE CHAIRMAN observed, that Lord Amherst was not then in India.

Sir J. SEWELL.—That may be, but still he must have heard of those differences upon his going out, and it was his bounden duty to have made the proper representation to the Government at home, before he commenced hostilities against the Burmese. The great difference to be remarked in the tone of the two letters of the noble Lord, to which I have before alluded, shows that there was not in the first instance that cause of hostility, the existence of which the noble Lord was anxious in his second letter to impress upon the Court of Directors. In one of the papers before the Court, it was stated that Captain Pechell had had some negotiations with the Burmese, and I should much like to know what the nature of these negotiations was, and whether they had any reference to those particular subjects upon which war had since been declared. Upon taking the whole of the circumstances into consideration,—on seeing that the right of possessing the island of Shapoorce was not proved to be indisputably vested in the Company, (and the establishment of such proofs was the point upon which the whole question of the justice of the war must turn) I cannot vote conscientiously that thanks should be given to the noble Lord, when the persons who brought forward that motion, had entirely failed in proving the justice or the necessity of the proceedings in which it was founded; and I must therefore oppose the original motion.

Mr. R. JACKSON, in explanation.—I must beg to say that the argument of the right of the Company to the possession of Shapoorce, is taken from the admission of the Burmese themselves. They have admitted that Shapoorce was always considered one of the appendages of the four great cities of Bengal, and as those cities have been ceded by the Rajah of Arracan, it necessarily follows, that the Company to whom that cession was made, have the same right to the island as the Burmese admitted to have been vested in the Rajah.

Mr. TRANT.—The hon. and learned Judge (Sir J. Sewell) is mistaken in supposing that the word *Chur* means a neutral ground; the meaning of the word is a bank of sand which had, in process of time, become an island. The learned Judge has asked why, when the case of this island had been brought under discussion in 1809, it was not at once put beyond dispute that the title of the Company was clear? And he has also asked, how it had happened that if the island was let out on lease by the Company at one period, it should have been so soon afterwards leased to other parties? Now I beg leave to give as an answer, that the Company's title was not disputed at the time of the first lease; and as to the second question, I will say that the parties to whom the first had been given, did not think the place worth the trouble of cultivation, and abandoned it. The island was then occupied by persons who had no right whatever to it, and the Company sent a party of Sepoys to resume its possession. They were attacked, and the greater number of them killed by the Burmese troops. Here then was blood shed, and the Company's servants put to death. I ask, therefore, was not the Company bound, under circumstances such as those, to assert its honour and to resent the insult which had been offered to it? I assert that it was, in fact, impossible to avoid coming to hostilities, unless the Company were prepared to abandon all Bengal, because the King of Burmah demanded the whole of Bengal as his, and the island of Shapoorce as a part of it. So great, in fact, was the insolence of the Burmese, that, if Lord Amherst was to be blamed at all, it

was for having been in the first instance too gentle towards them. If resistance had not been offered to them in that quarter, a necessity would have arisen for it at some other point; for it was evidently their design to pick a quarrel. My opinion, therefore, is, that Lord Amherst could not have avoided hostilities, and that he is fully entitled to the thanks of this Court. I have read all the papers, and I think that they fully bear out and sanction the motion now before the Court. (*Hear, hear.*)

Sir JOHN SEWELL in explanation.—I say that it was so late as the year 1813 that two men were in possession on the island of Shapoorce, which they then claimed, in right of a grant made to their fathers by an agent to the Company in 1790. I repeat that it is strange, that, if such lease was made at the time, no better evidence could have been given than the assertions of those two men.

Mr. RIGBY.—I think that the course pursued by the hon. Gentlemen who are in opposition to the motion of thanks before the Court, is extremely singular. It does appear strange that they should attack the character of Lord Amherst, upon the grounds that they have now chosen; a man who occupies so large a space in the eye of Europe. (18) Some of the charges, made by those gentlemen, rest upon direct mis-constructions, and others upon arguments and assumptions of fact totally without foundation. I certainly did expect that, if the noble Lord were to be opposed in this Court, something more tangible and substantial, than any thing I have yet heard, would have been brought against him. Instead of that, I have not heard any thing that would warrant any honourable man, in withholding his assent from the motion before the Court. I have read the papers, and I am of opinion, that they fully justify the statement of our hon. Chairman, and the resolution submitted by the Court of Directors. I ask, can it be denied that the blood of the Native subjects of the Company has been shed—that their property has been attacked, and that their territory has been invaded? and, even after all this, which would have justified an instant recourse to hostilities, the Governor-General preferred arranging the matter, if possible, in an amicable manner? It would be even seen, in his Lordship's letter, that, at first, a kind of reprimand was sent to the officer of the district, for having appeared to make too much of the affair. And what was his next course? he appointed several officers—Captains Canning, Scott, and others—(several of whom had been on missions to Ava, and all of them persons of eminent skill and experience,) as commissioners, to settle the subject in dispute by arbitration, if that mode were practicable. And what was the result? far from coming to any terms of accommodation, the Burman Government threatened that they would take possession of Dacca, and the other chief places of Bengal; that they would then pursue the British up to Calcutta, AND THAT, AFTER THAT, THEY WOULD MARCH TO ENGLAND! (*Loud laughter.*) These are the very words used in the papers before the Court. It was, no doubt, clear, as has been said, that the Burmans could not have known the power of the Company, which they affected so much to despise; and that it was also necessary to teach them what the strength of the Company really was. Lord Amherst has done so: he has successfully repulsed those arrogant invaders; he has defeated them on their own territory, and compelled them to sue for peace; yet, notwithstanding all this, we are told by an hon. Member (Mr. Hume) that the noble Lord deserved as little credit for putting an end to this war, as the man would do who had scattered firebrands about, and afterwards assisted in extinguish-

(18) This is really an Eastern hyperbole. The "space" occupied by Lord Amherst "in the eye of Europe" is so small, that even the newspapers of London, even eager as they are to gratify the vision of that eye, by giving precedence in their columns to whatever really occupies the largest space in its regards, say much less about Lord Amherst or his movements than about any public character that can be named; so indifferent are the people of Europe to the fate of a man whom Mr. Rigby conceives to fill so "large a space" in its attention!

ing the conflagration they had caused. From this view of the subject I totally differ. The noble Lord, it is true, and I admit, has effectually put out the fire; but it was not a fire which he himself had kindled, and (to follow up the comparison) for having done so, I think he is fully entitled to all the bounty of all the fire-offices. (*Laughter, and hear, hear.*)

From all that I have seen of the papers, and I have gone through the greater portion of them with very considerable attention, it appears to me to be established beyond doubt, that the noble Lord has conducted himself throughout as a wise and able statesman, acting with the most cautious prudence before the commencement of hostilities had rendered war inevitable. (*Hear, hear, hear.*) Another honourable Proprietor seemed to regret the absence of Sir Thomas Munro on the present occasion, although I do join in that regret, I must at the same time congratulate the Court on the presence of another gallant Officer, (Sir J. Malcolm,) who is in himself a host, and whose observations upon the present question are of the greatest importance. I do again repeat, that the papers before us prove, beyond a doubt, that the conduct of Lord Amherst respecting this war has been distinguished, in the first instance, for the most cautious prudence, and in the next for the most active exertion. I do, therefore, trust that the Court will stop this question of the casuistry in which some honourable Proprietors have made an attempt to involve it, and that if there shall not be an unanimous vote, the decision of the Court will at least show that the great majority of the Proprietors view the question in its proper light. I will not attempt to waste the time of the Court by entering at length into another ground of attack which has been made upon Lord Amherst, namely, that he is a man totally unfit for the high office he holds. This Court has, on a former occasion, come to a most proper decision respecting this subject, and since that period the successful career of the noble Lord has fully borne out the wisdom and propriety of that decision. (*Hear, hear, hear.*)

Mr. S. DIXON.—I have been a member of this Court for many years, but in the experience of that very long period, I have never witnessed an afternoon so uselessly spent in special pleading as that which is now drawing to a close. The only question for the consideration of the Court is, whether a vote of thanks should be given to Lord Amherst? Lord Amherst did not go out to India until 1823, and yet honourable Gentlemen have deemed it necessary, in taking his Lordship's conduct into consideration, to go into an inquiry respecting matters which took place in India several years before that period, and with which that noble Lord had nothing whatever to do. (*Hear, hear.*) One honourable Member has favoured us with a very long story, in which he endeavoured to make it appear that a lease of the island of Shapoorie had been given to two Mughls; (*a laugh*;) but it is not a little surprising that that honourable Gentleman should have forgotten to particularize the period for which the lease was given; he has not told us whether it was seven, fourteen, or twenty-one years. (*Hear, hear.*) Nay, he has not even condescended to inform us whether the two Mughls could read the lease, supposing them to have gotten it. (*Hear, hear.*) Now, really, Sir, I think that this paltry little island, or sand bank, or mud bank, or whatever it is, is altogether beside the real question before us. We are called upon to inquire, whether, situated as Lord Amherst found himself on his arrival in India, he could with propriety have avoided going to war? We know very well that long before his Lordship's arrival in that country the Burmese name and character had spread terror and dismay amongst several of the neighbouring powers; we knew also that they were anxious to make encroachments upon our own territories, and had we silently permitted these encroachments, it would, doubtless, have given rise in India to an impression that we had done so through fear of the Burman arms, and not from any acknowledgment of the justice of their claims. (*Hear, hear.*) I shall not detain the Court by going at length into the history and progress of the war, as it is a subject upon which we have been already favoured with so many learned treatises, by some honourable Gentlemen who have preceded me. (*Hear, hear, and laughter.*) And I

feel the less inclined to do so, because, in my opinion, a minute discussion of its details is not at all necessary to a proper understanding of the question before us. It is my decided conviction, from what has already appeared, that the war was on our part inevitable. And, I think, also, that it has not only been conducted with skill, but brought to a successful termination, and with this feeling I shall give my most cordial support to the motion. (*Hear, hear.*)

Sir CHARLES FORBES.—It would give me the greatest satisfaction if I thought that we could, consistently with our duty, pass the proposed vote of thanks with unanimity. But, I regret to state, that I for one feel called upon to oppose it. From all the information I have been able to procure, and I have done my best to obtain that information, as well from the papers laid before us as from other sources, I feel compelled to withhold my approval of the commencement of the war by Lord Amherst. There are other points also connected with his Lordship's administration of which I highly disapprove. Nothing can induce me to think that the war was either just, or necessary, or unavoidable. A great deal has been said about the violence and insolence of the Burmese; and I have heard much also of the arrogance and insolence of the Chinese, and of their imagined superiority over us and other nations; but did any one ever hear of our going to war with China in order to avenge the insults offered to our subjects at Canton, or other places in that empire? No, Sir, it was upon all such occasions uniformly found best to adopt a milder and more gentle course of proceeding. The Burmese have been described to us as wild, untractable barbarians: if this be so, then, their petty incursions into our territory were unworthy of the important notice taken of them by our Government in India. Would a gentleman who was insulted by a blackguard in the street, be properly defending his honour by entering immediately into a ruffianly contest with him? When I say that he would not, I do not mean to assert that force is not to be resisted by force; but the aggression having been repelled, the contest ought there to have an end. In looking into the whole question, as it has been stated on both sides, I cannot help thinking, that the grounds for entering into the war were by far too trivial. As we had for such a length of time borne with their petty aggressions, it was not right to allow the last ounce to break the elephant's back. You, Sir, in calling the attention of this Court to the resolution passed by the Court of Directors, appeared desirous that it should be unanimously approved of by the Proprietors, forgetting, at the same time, that the Directors themselves had not been unanimous in their opinions upon it. I was, I must confess, somewhat surprised at hearing that the Chairman should expect that unanimity amongst the Proprietors, in support of the resolution, which he had failed to obtain from his colleagues within the bar, who must be supposed to be better acquainted with all the facts than the Proprietors generally could be expected to be. The Court of Directors had, during the last three years, had access to all the documents which could throw light on the subject, and were therefore best qualified to form a just opinion as to the conduct of Lord Amherst. If, however, the Court of Directors, with all their means of information, could not agree in favour of this vote of thanks, is it not too much to expect a unanimous vote in its favour from the Court of Proprietors, when no two of them had been able to go through the papers laid before them? It is much to be regretted, that the information now before the Court, which was last year sought to be obtained by some honourable Member, had not then been printed. The advantage gained by such a course of proceeding would much exceed the expense, although that would no doubt be considerable. The Oude and Hyderabad Papers had been printed at a great expense, but the advantage gained was more than commensurate. Those papers must, however, soon appear before the public, as, when laid before the House of Commons, they would be ordered to be printed before any honourable Member of that House attempted to ground upon them a vote of thanks to Lord Amherst or the Army.

One question has been agitated in this Court upon which, without going into

the details of the subject generally, I may be allowed to say a few words. I cannot help regretting that an event of such serious importance as that which took place at Barrackpore should be passed over and set at rest without any investigation whatever. Let me assure the Court that this is not the course by which we can hope to conciliate our Native Indian subjects. If any similar transaction had taken place in this country, no man would presume to advise that it should be passed over without investigation or comment. If we understood and valued our true interests in India, believe me we should best consult them by extending the same treatment equally to our Native subjects there and our British subjects at home. Let me put a case by way of illustration. Suppose such a thing as a mutiny was to break out amongst our troops here, (a supposition not merely ideal, for it has once occurred to us already,) and that that mutiny was immediately resisted by force; that in the course of that resistance 500 of our fellow subjects were deprived of life; what, let me ask, would be said in the House of Commons, if when an inquiry was demanded, some honourable Member should get up and say "for God's sake do not look at the case; do not inquire further, or you may discover"—what?—"that the unfortunate men who had lost their lives were driven by strong grounds to the course they had taken?" I do not believe that there is any instance in this country of a mutiny, unless where the men had been provoked by ill-treatment, and in all such cases the injury complained of has been redressed. (*Hear, hear.*) Let us inquire what were the circumstances under which the mutiny took place at Barrackpore. It has been truly stated by an hon. Gentleman that the regiments had marched one thousand miles for the purpose of being embarked for Rangoon, and that during that long and fatiguing march, there was not a single instance of desertion. This information was communicated to me by an officer who had been on the spot. During that march they had, it is true, been supplied with all the conveniences and comforts usually allowed to troops when marching in India; they were then allowed a sufficient number of coolies and bullocks to carry their baggage; but when the troops were ordered to quit Barrackpore they were not allowed the same accommodation of coolies and cattle, and they were thus led to expect that they should be obliged to carry their own cooking utensils, which, amongst men of high caste, is considered a degradation. The Bengal Government, instead of providing the usual accommodation, allowed to each man a certain sum of money, with which it was expected that they were to supply themselves; but such was the scarcity of cattle at that time, that this sum was found insufficient; and as they could not obtain cattle, they refused to proceed upon their march. It is not my intention to enter further into the details of this melancholy affair at present. We are aware of what followed; and I quit the subject with expressing a hope that some inquiry into it will take place either here or elsewhere.

I shall not detain the Court much longer, but I implore you not to give the sanction of your vote to principles and acts which are calculated to create an impression, that we were not inclined to deal out equal justice to all our subjects in India. If we wish to govern India at the cheapest rate, we must act towards the Natives in such a way as to secure their regard, and establish an empire in their hearts; we must endeavour to raise them from their present low and degrading situation; for, depend upon it, that their obedience will be increased and secured in proportion as we raise them to our own level, and extend to them those benefits of our Government which they have hardly yet begun to enjoy. (*Cries of hear, hear.*) I fully concur with those hon. Gentlemen who have spoken in favour of the other Resolutions which are to be laid before the Court, and I shall most gladly join in acknowledgement and approbation of the skill and ability displayed by our officers, and the boldness, bravery, and admirable discipline displayed by the whole army throughout the contest. Having touched upon this subject, I feel it necessary to notice an observation made by an honourable and learned Gentleman who preceded me. That Gentleman (Mr. R. Jackson) intimated, that we ought to divide the money we had acquired by the war

amongst the troops. I too would reward our troops with that money, whether it amounted to a half a crore or a crore of rupees, not, however, upon the grounds assigned by that learned Gentleman; not because our troops had not, in disobedience of their officers, marched forward to the plunder of the city and temples of Ava. (*Hear.*) Sir, I could scarcely believe my ears when I heard the learned Gentleman openly assert, that we were bound to reward our troops, because they had not turned traitors. (*Hear.*) Good God! Sir, what can be said of such doctrine as this? Is it not holding out an encouragement to disobedience, to assert that troops were entitled to rewards because they had not been guilty of acting contrary to the commands of their officers? I admit that the troops have done their duty bravely; but, Sir, they have done no more than their duty; and I am sure that their great services will not be allowed to go unrewarded. I am sorry to find, that while Lord Amherst and others have been rewarded by honours, the name of Sir Archibald Campbell who commanded our troops against the Burmese, had been passed over. When I took up the Gazette, and found the name of that gallant and distinguished officer omitted, I could scarcely believe my eyes. I do not pretend to dispute the right which his Majesty possesses of exercising his prerogative of conferring honours upon whom he pleases; but I hope and trust, that when honours are distributed, those brave and distinguished officers who have rendered signal services by their exertions, will not be forgotten. (*Hear, hear.*) Having adverted to the honours conferred upon Lord Amherst, I cannot help expressing my regret at the extremely bad taste of those friends of his in this country—who associated the title of his elevation in the peerage with a place (Arracan) which has become the charnel-house of his countrymen. I confess I could not conceal my astonishment when I read in the Gazette, his Lordship's new title, Earl Amherst of Arracan.

I shall conclude, Sir, by again stating, in the event of my being present when the other Resolutions are put to the vote, that I shall give them my most cordial support, although I cannot with a conscientious feeling support that now before us, approving of the proceeding of Lord Amherst. (*Hear, hear.*)

DOCTOR GILCHRIST.—Sir, I think I have a right to say, that it is very hard upon individuals, to have a want of understanding and a want of intelligence attributed to them, solely because they are unable to understand the vast pile of papers which have been produced for their inspection. (*Cries of spoke, spoke.*) The learned Gentleman was about to proceed, when

A PROPRIETOR said, this is not explanation, but argument.

THE CHAIRMAN.—I much doubt whether it is either the one or the other. (*Hear, hear.*)

DOCTOR GILCHRIST.—I hope the Chairman will do me the favour to repeat his decision as to whether I am out of order, as I did not hear his last observation.

THE CHAIRMAN (who did not appear to have heard the observation of the learned Gentleman) observed, that he would now put the question, unless some other Proprietor wished to address the Court.

COLONEL STANHOPE.—Sir, I beg to suggest the propriety of adjourning this question until to-morrow. The Court is now very thin, and on looking behind the bar, I find that there are not fewer than twelve Directors absent, from which, I think, it is not unfair to infer, that they are not favourable to the motion now before us. (*Cries of go on, go on, and question, question.*) After a pause of a few moments,

THE CHAIRMAN put the question on the Amendment, and it was negative by a considerable majority. (The Court had at this time become very thin.)

The original resolution of thanks to Lord Amherst was now put, on which

MR. PATTISON said—It appears to me, from the remark made by the gallant officer (Colonel Stanhope) and other Proprietors, that there is an impression amongst several in the Court, that the motion of thanks to Lord Amherst was not carried in the Court of Directors by any considerable majority. I beg to

say, that this impression is quite erroneous; the majority of the Directors in favour of that motion was very considerable.

The CHAIRMAN was again about to put the question—when

Colonel STANHOPE rose for the purpose of submitting an Amendment.

The CHAIRMAN here said, if the gallant officer, by the proposed amendment, wishes that it should stand in the place of any part of the motion now in my hand, I am of opinion, that it cannot be received. The Court by its vote has already decided that the original motion shall stand part of the question. The Court may negative the whole if it thinks proper, but if any thing in the way of amendment is put, it must be in the shape of an addition.

Colonel STANHOPE.—Then, Sir, I beg to move this Amendment, as an addition to the motion now in your hands.

The amendment was then put in and read, it was as follows :

“ Resolved—That the thanks of this meeting are due to Lord Amherst, for having terminated the Burmese war,—a war wantonly entered into, and contrary to Act of Parliament, by which all augmentation of territory, and every act of war against an Indian Prince, except for self-defence in the case of actual hostilities, is declared to be contrary to the interests and injurious to the honour of the British nation,—a war which had been ill-planned and supported, and which, by extending our frontier and connections, had added to our danger,—which would increase the burdens of the people of India, and thereby injure their agriculture, their commerce, and their resources; and which must ultimately hurt the trade, and swell the national debt of Great Britain.”

The CHAIRMAN.—The Court, I think, will perceive that this is, in other words, nearly a repetition of that amendment, on which it has already decided.

Mr. PATTISON.—The addition now submitted will, in my opinion, be a direct contradiction to that which the Court has decided should stand part of the question. To add this to the resolution before us would be about as consistent as to say, that it is dark, because the sun shines. (*Hear, hear.*) It would have the effect of thanking Lord Amherst in one part, and, for the same reason, condemning him in another. In my opinion, such an addition ought not to be listened to for a moment.

Mr. WIGRAM.—I think if the gallant officer considers, for a moment, he will perceive that what he now proposes is not, properly speaking, an addition to the resolution before the Court, but a new motion referring to a different subject, and that to adopt it, after agreeing to the first, will be to contradict, if not to rescind that first part. I trust, therefore, that the gallant Colonel will see the propriety of withdrawing it.

Col. STANHOPE.—With much deference to the Chairman and the other honourable Director, I submit, that that which I propose, by way of addition, is not inconsistent with the main question before us.

Mr. S. DIXON.—Sir, if we are to remain here, occupied with such extraneous matters, we shall continue all night without coming to any rational conclusion.

Col. STANHOPE.—If what I submit is put from the Chair, and if honourable Members will give themselves the trouble of stating their objections, I shall be prepared to answer them; but I do not think it fair that I should be deprived of an opportunity of taking the sense of the Court upon it.

The CHAIRMAN declined to receive the addition of the gallant officer, in its present shape, and Col. Stanhope did not press it.

The original motion was now put, and carried in the affirmative, only five or six hands appearing to be held up against it.

Separate Votes of Thanks to Sir T. Munro, to Sir Archibald Campbell, and to other officers engaged in the Burmese campaigns, were put and carried unanimously,

On the resolution of Thanks to the Non-commissioned Officers and Privates of the Army being put to the vote,

Col. LUSHINGTON said—I think, Mr. Chairman, that whatever differences of opinion may exist amongst us as to the cause of the late war, there can be none as to the skill, bravery, and discipline of the officers and men who were engaged in it. The excellent conduct of the troops has been already the subject of warm commendation on the part of the Government of India, in proof of which I beg leave to read a copy of the General Order, issued by the Governor-General, in April last.

“ *General Order of the Governor-General, April 26, 1826.*

“ To the Native troops of the hon. East India Company, who have so often successfully emulated their European comrades in arms, the highest meed of approbation and applause is not more cheerfully accorded than it has been honourably won. The Madras sepoy regiments destined for the expedition to Ava, obeyed with admirable alacrity and zeal the call for their services in a foreign land, involving them in many heavy sacrifices and privations. This devotion to their Government, reflects the highest credit on the character of the coast army—not more honourable to themselves, than it is doubtless gratifying to the Government of Fort St. George, as affording an unequivocal proof of the sentiments of gratitude and attachment with which the army acknowledges the paternal anxiety and care that ever watches over, and consults its best interests and welfare. The detachments of the Bengal Native troops employed in Ava, consisting of a portion of the Governor-General’s body guard, commanded by Captain Sneyd, and detachments of national artillery, have been animated by the noblest spirit of gallantry and zeal.—The former, more especially, are entitled to the warmest thanks of the supreme Government, for their voluntary offer of service beyond sea, and for their distinguished conduct in the field, under their national as well as European officers.”

The gallant officer then proceeded.—It will be, no doubt, extremely pleasing to the Court to know, as it is highly gratifying to me to be able to state, that on no former occasion did the coast army evince such admirable discipline, such alacrity in obeying the orders they received, or such constancy under the fatigues and privations to which they were exposed, as they exhibited during the whole of the late campaign (*Hear, hear.*) In the whole force, consisting of 20,000 Native troops, which composed the coast army, not a murmur was heard, not an objection was made on their embarkation for so difficult and dangerous a foreign service. (*Hear.*) I state this fact with pleasure, because I am convinced it must be extremely gratifying to the Court to learn this great devotion of the Native troops to the interests of the Company’s service. (*Hear hear.*) It is unnecessary for me to describe in detail, the great fatigues to which the men were subjected in a service of this nature. The general character of those fatigues, are, no doubt, well understood by most of those who hear me; yet, throughout the war, such was the confidence of the troops in their officers, that they willingly performed the most difficult and arduous duties without asking a question, or making an observation; so far from it, that every duty, however severe, was performed with the utmost cheerfulness. (*Hear hear.*) It may be asked whence this change has arisen? How has it happened that there should be in the troops such willingness to embark on foreign service, a service which if proposed to them on former occasions, the proposal would have been attended with difficulty and danger? I answer, that it has arisen from the excellent regulations recently adopted by the officers in command of the coast army. These regulations have been most strictly enforced, nor allowed in any one instance to become a dead letter. I may also fairly attribute much of those good dispositions in the troops to the great personal care and attention of the officers to the wants and comforts of these men, and to their anxiety in seeing them provided with every necessary on their embarkation. Of this I could give numberless instances, but I will only relate two which were communicated to me by Colonel Conway, the Adjutant-General of the

Madras army. I will give them in the words of that officer's communication to me :

"One morning I went to the beach, to see a regiment embark—a Sepoy came up to me with two children in his arms, and said, 'Conway Sahib—I am a volunteer, and ready to go into the boat, but what is to become of these children? Their mother died last night of the cholera, and I have now no one to protect and take care of them: I give them to you, and will go and do my duty.' I took the boys, and sent for the adjutant of the veteran battalion, desired him to bring me a good man, of the same regiment, in whom I could confide, and to him I made over the children, with a promise of reward if he did his duty by them. The poor father died at Rangoon—Government has pensioned the boys—I am their guardian, and faithfully will I fulfil the trust." (*Hear, hear, hear.*)

The second anecdote mentioned by Col. Conway was this: "An old subadar of cavalry had four sons embarked with our troops; and he, and his wife, and all the family came down to the beach to see them into the boats. The venerable white-headed father saluted to Sir Thomas Munro, and bade him see his boys depart. They were all fine handsome Musulmen, and it was a sight fit for a Roman father, to witness the high bearing and pride with which these gallant fellows saluted to the Governor, to the father, and to the mother's trackery. Sir Thomas was very much struck with the group, and afterwards asked me if the subadar's four sons were well." (*Hear, hear.*)

The principal regulations (continued Colonel Lushington) to which I before adverted, are these: firstly, permission to the troops, going on foreign service, to draw a certain portion of their pay in advance; secondly, not permitting them to be charged more than a fixed, and reduced, rate for their rice, whatever might be its value in the market; and, thirdly, securing to the nearest relative the property of every Native soldier, in case of his decease on foreign service. Besides these, there are a great number of other regulations, tending to the comforts of the soldiers, with the details of which I will not trouble the Court; but I beg to add, that any praise which may be given to Sir Thomas Munro, and to the other officers acting in command of the Madras army, for the great zeal with which these regulations were carried into effect, cannot be beyond what they deserve. That these humane exertions, for the comfort and accommodation of the troops, have not been unproductive of excellent results in the army, is shown by what I have already stated; but it may be further proved by the following general order, issued by the Madras Government:

"General Order by Government—Fort St. George, Jan. 24, 1826.

"To mark the sense which the Government entertains of the cheerful alacrity and high military spirit with which the Native troops of this Presidency have proceeded to Ava and Arracan, and the patience with which they have borne the privations and hardships they have been subjected to; and also, with the view of enabling them to provide for the expense of bringing back their families to the head-quarters of their respective corps, the Governor, in Council, is pleased to direct, that three months batta shall be paid to all Native troops, and military followers, on their return from foreign service in Arracan and Ava."

This (continued the gallant officer) is the true policy—it is the most effectual mode by which the affections of our Native troops can be secured; and, for the wisdom of that policy, I can appeal, with confidence, to the bravery and discipline by which the whole of our army were distinguished during the late campaign. (*Hear, hear.*)

Sir CHARLES FORBES.—Sir, it is not my wish that any difference of opinion should exist on the motion now before the Court; and it is not my intention to create any such difference. But, in expressing my cordial concurrence in the motion before us, and my entire assent to every thing that has been said of the great alacrity with which the officers of the Madras Government have

attended to the comforts of the Native troops, I wish to be understood as making a vast distinction between that Government and the Government of Bengal, in this respect. My recollection of the conduct of that Government towards the troops at Barrackpoor, will for ever preclude me from assenting to any vote of thanks in which it may be included. I beg, however, to be clearly understood, as not making the slightest objection to any thing that has been said in favour of the conduct of the Government of Madras.

The CHAIRMAN.—The Court will observe, that the question now before them, refers solely to the non-commissioned officers and privates who served in the late campaigns, and has no reference whatever to the conduct of the Government either of Madras or Bengal. I did not interrupt the gallant Colonel, or the hon. Baronet, though a part of their observations were rather a digression from the strict question before us.

The motion was then put, and carried unanimously.

The next resolution was a vote of thanks to Commodore Sir C. Brisbane, and the officers and crews of the ships under his command, employed in the late war.

Mr. S. DIXON.—I do not rise to offer any objection to this motion; on the contrary, the vote of thanks has my entire concurrence; but I wish to ask, and I do so for the sake of information, why separate votes of thanks have been passed to the officers and soldiers of the army; and why Commodore Brisbane, and his officers and crews, should all be included in one vote? It appears to me, that there is a distinction made between the two services, which, on occasions like the present, we should be most anxious to avoid.

The CHAIRMAN.—The precedent of the vote of thanks passed to the Admiral, the officers, and men, who assisted in taking the Mauritius, has been strictly followed in the vote now before us. (*Hear, hear.*)

Col. STANHOPE.—Without referring to any precedent, I should wish to know why the officers and men, in both services, should not receive the thanks of this Court in the same manner?

The CHAIRMAN.—I can assure the Court, that there existed not the slightest intention, on the part of the Court of Directors, in proposing those votes for the approbation of this Court, to make any invidious distinction between the officers of the two services.—They had merely followed former precedents.

Mr. R. JACKSON.—The Court is aware that Captain Chance, a most distinguished, active, and intelligent naval officer, had been employed in the negotiation of the treaty of Ava, in which he had acquitted himself much to the satisfaction of his superiors, yet he did not see his name mentioned in the vote of thanks; but if the forms of the Court allowed it, he should be very glad to see that justice done to his merits.

The CHAIRMAN.—I beg again to assure the Court, that the course now proposed has been adopted by the Court of Directors, with strict attention to the precedents established by former votes, and without the slightest wish to overlook the merits of any individual. (*Hear, hear.*)

Col. STANHOPE.—But, Sir, if former precedents be not correct, I see no reason why this Court should abide by them. It will be quite absurd to adhere to a precedent, on the ground that it has been established, if it be apparent that its establishment was contrary to reason and justice.

After a few words from Sir Charles Forbes, and another Proprietor,

The CHAIRMAN said—I must again assure the Court, that in the course followed on this occasion, it has been the anxious wish of the Directors to place all parties in the same honourable situation. (*Hear, hear.*)

The Resolution was now put, and carried unanimously.

THE ARMY OF BHURTPoor.

The CHAIRMAN.—We have now to submit to the Court the proceedings adopted by the Court of Directors with respect to the Army engaged in the siege and capture of Bhurtpoor.

It was here intimated by several Proprietors, that as the business of the day had been already protracted to an unusually late hour, (seven o'clock,) it would be better to defer the consideration of any farther proceedings to a future day; that the thinness of the Court, in which a few members only remained, rendered such a postponement the more necessary considering the importance of the matters to be submitted for discussion.

The CHAIRMAN.—As the resolutions about to be submitted comprise votes of thanks, on which no opposition is likely to arise, I think it may be as well to pass them on the same day upon which we have passed votes of thanks to officers and men engaged in other services. However, if it be the wish of the Proprietors, I have no objection to yield to their convenience and to name another day for the discussion; but, I may be allowed to observe, that if the Court is so thin, it is not my fault. If it meets the wishes of the Proprietors now, I will name to-morrow for the consideration of the other votes.

A PROPRIETOR.—I believe that this room will to-morrow be occupied in a different, though, perhaps, not less profitable manner. It will be a sale-day, which it may be inconvenient to defer. I therefore suggest that some other day should be named.

The CHAIRMAN.—I can have no objection to any day which may meet the convenience of the Proprietors. The only question is, whether any long delay between the votes, as they are all of the same description, may not give rise to feelings in other quarters, against which I am sure the Court will be most anxious to guard. Perhaps, after all, it will be much better to go on with the business now. (*Cries of go on, go on.*)

Colonel STANHOPE.—I trust, Sir, that in the present state of the Court we shall not proceed with a discussion of this important nature. I know there are several members absent who are most anxious to take a part in that discussion; and I am certain, that it is quite erroneous to suppose that this motion will be suffered to pass without observation.

The CHAIRMAN.—I must repeat, that if the attendance of members be thin it is not my fault, and I trust the Court will do me the justice to believe that I can have no wish to press the discussion at this moment, if against their convenience. I have as little wish to urge it in the absence of Proprietors who, if present, might wish to take a part in the discussion. My only reason for wishing to press it now, arises from a delicacy of feeling towards the distinguished individuals who are the objects of the vote.

Dr. GILCHRIST.—Sir, at this late hour, I do hope that the discussion will not be protracted. The great majority of the Proprietors who were in attendance have left the Court, and I think we have been already kept a sufficiently long time fasting.

Sir CHARLES FORBES.—I think that in the six or seven hours during which the Court has been already occupied it has done pretty well in having gone through the origin and progress of the Burmese war and brought it to a successful conclusion. And having achieved so much in so short a time, I think we may now fairly close our labours for this evening, and adjourn any other matters that may be for discussion to a future day. It is I think a great mistake to suppose that the question concerning the capture of Bhurtpoor will pass without comment. I can assure the Court it will not. I, for one, should I happen to be present, will be glad to be informed by what authority it was that that important fortress was razed to the ground. I shall also be anxious to be informed as to what is to be done with the jewels and other treasure there.

The CHAIRMAN.—I must once more assure the Court that personally I have no wish to press this question contrary to their convenience; I will therefore name another day. Tomorrow may not be convenient on account of the sale, and if Wednesday next, which will be the day for holding the Quarterly Court, be appointed, it may interfere with the business already fixed for that day, I will then name Tuesday, which perhaps may be convenient for all parties. (*Hear, hear.*)

Tuesday next was then named, and the Court adjourned to that day.

Tuesday, December 10.

OPERATIONS AGAINST BHURTHPOOR.

This day a Special Court of Proprietors was held pursuant to adjournment, for the purpose of taking into consideration certain papers relative to the operations carried on against Bhurtpoor, and the resolutions which the Court of Directors had founded thereon.

The CHAIRMAN (Sir G. Robinson) having taken the Chair,

Col. LEICESTER STANHOPE said—I wish to be permitted to ask, before the business for which the Court is assembled is proceeded in, why Sir Edward Paget has not been included in that vote of thanks passed at the last General Court?

The CHAIRMAN answered,—The situation in which Sir E. Paget had been placed was such as to preclude thanks from being voted to him on account of the Burmese war. The votes with regard to the war had been finally settled at the last Special Court.

Mr. HUME.—I understand this meeting to be merely an adjourned one of the last Court.

The CHAIRMAN conceived that the question of the Bhurtpoor war, and of the thanks to those who were connected with it, had been finally settled at the last Court.

Dr. GILCHRIST.—I thought that the question relative to Sir E. Paget had not been settled, and so far from that gallant Officer having concurred in the Burmese war, he had been decidedly opposed to it. I therefore and my friends felt ourselves more strongly fortified in our opposition to Lord Amherst, when we found that the Commander-in-Chief had been adverse to the war commenced by the noble Lord.

Colonel LEICESTER STANHOPE.—Lord Amherst has endeavoured to throw odium on the Commander-in-Chief for his conduct at Barrackpore. I wish to know whether the Court of Directors coincided in Lord Amherst's view of the case, and whether it is on that account that they refuse a vote of thanks to Sir E. Paget?

The CHAIRMAN observed, he was to acquaint the Court that it had met by adjournment for the purpose of taking into consideration certain papers relative to the operations against Bhurtpoor, together with the resolutions come to by the Court of Directors, which papers and resolutions had been laid before the General Court on the 13th instant. Those resolutions he now wished to be read.

Mr. HUME.—It is of great importance to the public that the question respecting Sir Edward Paget should be answered. This Court alone is not to form an opinion on the extensive contest which has been carrying on in India with such a waste of blood and treasure. The public will, undoubtedly, draw their own conclusions upon the subject, and, therefore, it is a matter of deep necessity that the question put to the honourable Chairman respecting an officer, who stood so high in the service as a soldier and a gentleman, should be promptly answered. The question, I repeat, is one of very great moment as regards that gallant Officer. Of the business of Barrackpore, I shall say nothing: that is a different question; but I must observe that it is most extraordinary to refuse thanks to Sir Edward Paget, who was Commander-in-Chief when the Burmese war commenced,—who continued that situation during the greater part of the time the war was carried on,—and who must, consequently, have had under his eye all the military arrangements connected with the contest. It is, therefore, very important to Sir E. Paget to know why he had been passed over by the Court of Directors. Did it appear that he had objected to the war, or agreed to it? or was there anything in the way in which the war had been carried on that had created disapprobation?

An answer on these points was necessary to satisfy various high-minded individuals who were connected with that gallant Officer. I do not hesitate to say that those who voted at the last Court, might have been influenced in their opinion by the manner in which Sir Edward Paget has been treated, and I think that the Court of Proprietors ought not to allow the present occasion to pass by without demanding explanation on the subject. If Sir Edward Paget had done wrong, let him be severely censured; but if he deserved applause, let him not be passed by *sub silentio*.

The CHAIRMAN.—I do not see the least ground for supposing that any slur has been thrown on the gallant officer in question, by the proceedings either of this Court, or of the Court of Directors. I know no instance within my recollection, where thanks have been voted to the Commander-in-Chief, unless he had been actively employed in warfare. Thanks are never voted to the Commander-in-Chief, unless he happens to be engaged with the army.

Mr. HUME.—Thanks were proposed to the Marquis of Hastings some years since, simply because he was Commander-in-Chief, and not as a statesman, or as Governor-General. —This illustrious nobleman had not been actively engaged in the war, and thus is a case which I conceive to be directly in point. —I cannot conceive why Sir Edward Paget should be left out of the vote of thanks, when the public despatches prove that he took such a decided part in the arrangements which the war had rendered necessary. The Marquis of Hastings had been thanked merely as Commander-in-Chief. I objected to a vote proceeding on such narrow grounds, because I thought the conduct of Lord Hastings, in his political character, ought to have been adverted to. In my opinion, the case is perfectly in point, and I feel that the very proper question of my hon. Friend ought to be answered.

Colonel L. SEASHORE.—Another case in point, is afforded by the thanks given by the House of Commons to his Royal Highness the Duke of York, as Commander-in-Chief, for his excellent government of the army.

The CHAIRMAN.—The Court of Directors had no intention to vote thanks to Sir Edward Paget, but at the same time, I must be allowed to say, that in not doing so, the Directors did not mean to cast the least disapprobation on any part of that gallant officer's conduct. —They did not thank him, simply because there was no special ground for such a proceeding.

Doctor GILCHRIST.—It does not appear to me, that the conduct and character of the gallant Commander-in-Chief have been treated as they deserve. I conceive that the Directors are not pursuing that line of conduct which is calculated to raise them in the public estimation, nor are they, in my opinion, acting with that consistency, which their high situation demands, and which they ought to maintain in the eyes of the country. On the occasion of the vote to Lord Amherst, although the Proprietors amounted to two or three thousand persons, yet at the close of the debate, there were only fifteen or sixteen gentlemen present. I conceive, therefore, that thanks voted under such circumstances was not an honourable mark of distinction to the individual upon whom it was conferred. The Proprietors, as a body, were conceived to know how Lord Amherst deserved thanks, and why they were refused to Sir Edward Paget. —Probably that gallant officer had opposed the whole of the late war, and that circumstance might perhaps have been the reason for overlooking his services. The Court of Directors were however called upon to admit or disclaim that they had felt some resentment against Sir E. Paget, either for his conduct at Burackpoor, or elsewhere. —In my opinion, the Proprietors will stultify themselves, by voting thanks without knowing the whole of the circumstances of the case. The matter, it should be observed, cannot be closed in this Court, it would be considered before a higher and greater authority. —I understand, that the other day, the minority, by whom the vote of thanks to Lord Amherst was opposed in the Court of Directors was very small. I wish to know, whether it was the truth, that there was a small majority behind the Bar, and who the Gentlemen constituting it were? It was very hard upon the Proprietors, that they were obliged to come forward and openly state

their opinions and sentiments, while the Directors concealed their names, and did not allow the public to know of whom the majority or minority on any given question consisted.

Mr. R. JACKSON.—I shall mention a single fact, for the purpose of showing the exertions made by Lord Amherst to proceed successfully with the war. Sir A. Campbell had impressed on the Governor and Council of Bengal, the necessity of providing such large supplies as would enable them to prosecute hostilities with effect: he despaired of success, unless he could carry on to the fullest extent the plan which he himself (Sir Edward Paget) and Lord Amherst had laid down. Such was Lord Amherst's coincidence in the propriety of the representation, that soon afterwards no less than sixteen hundred boats were in activity between Rangoon and Prome, and six months' rations were provided for the army. This was done on the representation of Sir A. Campbell, supported and approved by Lord Amherst himself. The learned Proprietor, Dr. Gilchrist, has spoken of votes of the Directors having been given in secret: there is nothing worthy of blame in this, and the learned Proprietor ought to know that the constitutional practice of the Court is to vote by ballot.

Colonel L. STANHOPE begged leave to move—"That the thanks of this Court are due to Lieutenant-General Sir E. Paget, for his judgment in opposing the Burmese war, and for his able conduct in afterwards promoting the warlike measures conducive to the successful issue of the contest."

The CHAIRMAN.—I am in possession of the Court, and it is contrary to all regular and established form, to interrupt the proceedings by a premature motion of this kind.

The hon. Gentleman then directed the resolutions which had been agreed to by the Court of Directors to be read.—They were then read as follow:

1. Resolved—"That the thanks of this Court be given to the Governor-General in Council for his forbearance in not resorting to measures of coercion against the usurper of Bhutpoor, as long as hopes could reasonably be entertained of accomplishing, by means of negotiation, the restoration to power of the legitimate Rajah; and for his decision, on the failure of negotiations, to effect the reduction of that important fortress by force."

The other resolution is which were read, contained a vote of thanks to Lord Combermere, the commissioned, and non-commissioned officers, and privates employed in the operations against Bhutpoor.

The question having been put on the first resolution,

Mr. HUME rose and said.—As the resolution is worded, it would appear that the *forbearance* alluded to, was the act of the Governor himself. It is well known to every person connected with India, that the Governor-General acts in concert with the Commander-in-Chief and other persons, yet he has it in his power if he pleases to supersede the opinion of those individuals, and to act for himself,—he of course taking responsibility for any orders he might think proper to give.—Now, it seems to me that Lord Amherst's forbearance alluded to in the resolution, means that he alone gave the order, by which the proceedings of Sir D. Ochterlony were suspended, and that the subsequent proceedings were instituted by his direction.—I therefore beg leave to know in what way I am to understand the first resolution?

The CHAIRMAN.—The wording of the resolution is in strict conformity with the general practice of the Court of Directors. When we speak of the Governor-General in Council, we always speak of him in the singular number. If the hon. Proprietor is anxious to know whether in this particular act the Governor-General proceeded on his own opinion alone, as he might do under the Act of Parliament, I can assure the hon. Proprietor that his Lordship's conduct was quite in accordance with the opinions of his Council.

Mr. HUME.—I was induced to ask, in consequence of the way in which the resolution is passed, whether it is intended to cast a reflection on the Members of the Government. If this be the act of the whole Government, is it fit that the entire credit should be given to Lord Amherst, and thereby cast a

reflection on the rest of the Council? Did those gentlemen approve of suspending the proceedings which had been commenced by Sir D. Ochterlony? The resolution attributes the act to the Governor-General *in Council*, and, by these means, refers it to him alone.

THE CHAIRMAN.—The Act of Parliament speaks of the Governor-General *in Council*. There is no part of that Act which mentions the Governor-General *and Council*. The Court of Directors, therefore, has only used the language of the Act of Parliament in designating the Governor-General.

MR. HUME observed, that if the whole Council concurred in the act, the proper way to have mentioned it would be to have stated "*their forbearance*"—and not "*his forbearance*."

THE CHAIRMAN said his opinion was opposed to the opinion of the hon. Proprietor, and he (the Chairman) submitted that the statement was perfectly correct, and that "*his forbearance*," and not *their forbearance*," was the proper expression.

MR. HUME.—Before I deliver my sentiments on the subject of the motion, I wish really to know the nature of that motion. I have put a question, and have been informed that it is a vote of approbation to the Governor-General. Now I have understood that the whole Council dissented from Lord Amherst on the occasion, and that he alone took on himself the suspension of the proceedings of Sir David Ochterlony, contrary to the opinion of the other Members of the Government. If this be the case, I really wish that the vote of thanks should be given to the Governor-General alone, and that the other gentlemen should not be confounded with his Lordship. I think it a very unfair mode of proceeding to leave it to be supposed by those who have no access to the documents, that the other Members of the Council were favourable to this act, and therefore I contend we ought to have the proceeding explicitly mentioned. This should be a single vote, and not one coupling Lord Amherst and his Council together. I should be glad to know the intention of hon. Gentlemen within the bar?

SIR JOHN SEWELL.—It was the mere act of the "Governor-General," and not his "Council," that suspended the proceedings of Sir David Ochterlony. On the 6th of August, I found that Sir Edward Paget, Mr. Fendall and Mr. Harrington, all Members of Council, gave strong reasons for bringing the affairs of Bhurtpoor to a close. The Governor-General, not having seen the minutes of the other Members in Council, was still, in contradiction to the opinions of Sir David Ochterlony, in favour of delay; and it was not until Sir Charles Metcalfe pressed on him the necessity of active proceedings that he consented to adopt a different course of conduct. Lord Amherst ought to have known better. He ought to have felt that there was a just, reasonable, and necessary cause, which called on the British Government to interfere, in order to prevent those mischiefs to our territories which were likely to ensue, if we did not take care that the possession of Bhurtpoor proceeded in the regular way. My objection to the thanks of the Court being given to Lord Amherst is, that the war has been delayed when it should have been prosecuted, (*hear*.) and why was this? because Lord Amherst did not know what he ought to have known a month after he had been placed in the office of Governor-General.

DR. GILCHRIST.—I hope the Court will permit me to read part of a letter from the deceased officer, Sir D. Ochterlony. He was an old and able officer in the field, and he was no less skilled in the duties of the Cabinet. From his knowledge of the languages of India, and his long experience in that country, Sir David had had an opportunity of knowing more of the policy of the Native Princes than the whole council put together. It was impossible that any individual in India could understand these points so well as he did. He was a man who had always been intrusted with important matters in the Indian Government, and who had been deeply devoted to the interests of his country. That gallant officer's opinion was, that he could have carried Bhurtpoor by a *coup de main*,—that he could have taken the place by treaty,

without bloodshed, because he felt, if an honourable capitulation had been offered to the enemy, the fortress would have been handed over to the British power. Let, however, the deceased officer's letter speak for itself. I regret that the Company's ancient officer, who has often reaped glory in the field, should have lost the opportunity of earning those honours which I am sure he would have achieved, had not the proceedings of Sir D. Ochterlony been suspended. It was necessary that the public should be acquainted with that which I am now about to read.—The hon. Proprietor then read the following letter from Major-General Sir David Ochterlony, Bart., G.C.B., resident in Mulwa and Rajpootana, to Mr. Secretary Swinton:

“*Multra, 25th April, 1825.*

“*SIR,—After an interval of five days, and destroying, as I am told, many rough drafts of letters, I have at length received the accompanying from Bhurtpoor, which, though they state that a confidential person, with full powers, will be sent, omit to mention the name of the person, and the probable time of his arrival. As many letters have been received from various quarters, which explicitly announce the instructions I have received by express, I feel it useless to struggle longer against events. I shall, therefore, transmit a Persian letter, of the tenor mentioned in the accompanying copy of original draft. In transmitting this document, I beg leave respectfully to offer my resignation to his Lordship in Council. I should be guilty of falsehood if I acknowledged any conviction of their incorrectness or impropriety, thinking, as I did, that every moment's delay was submission to disgrace, and feeling, as I do, that a few days' delay in the arrival of your express would have brought matters to an amicable and honourable conclusion.*

(Signed) “*D. OCHTERLONY.*”

Was it possible, I will ask, (continued Dr. Gilchrist,) that Sir David Ochterlony did not feel a full conviction of the necessity of striking a decisive blow, when he expressed himself thus? Would he have hazarded his high reputation by attempting to do that which was impracticable? Lord Amherst and Sir A. Campbell had prosecuted the Burmese war, it had been said, with a boldness and energy that did them great honour, and here is an old and faithful officer who wished to follow that example,—who was anxious to possess himself of this fortress, but who was checked in his career by the Governor-General. That noble Lord put an extinguisher on the proceedings of Sir David Ochterlony. The noble Lord said to that gallant officer,—“No, Sir, you shall not perform this service,—some more favoured officer,—some gentleman, selected from the King's service, shall carry the honour away from you.”

This was so inconsistent an act, that I cannot for the life of me agree to the vote of thanks now proposed to his Lordship. The fortress stood in the very centre of our dominions, and the taking of it would have been most important, as it would contribute much to the preservation of the British power in India. Had the British forces possessed themselves of it at the time Sir D. Ochterlony wished, the event would have struck a damp into the hearts of the Burmese, distant though they were from the scene of action. Before the Court come to a vote this day, I hope they will consider the situation in which they are placed, as the “East India Company,” having seen their old servant superseded, and the King's officers employed. God forbid that I should be supposed to throw any blame upon his Majesty's forces. They have acted nobly on many occasions, but I could not, without feelings of deep regret, see any slight offered to those who had spent their best days in the Company's service. If those gallant men ever manifested any thing like treachery, or want of fairness and ability in what they did,—then there would be some reason for hesitation, but the fact was notoriously otherwise. There is a miserable attempt in one of the letters, to detract from the merits of Sir D. Ochterlony, it is there insinuated that Sir David was in his dotage.—This appears very unlikely, and to prove the assertion is a calumny, I will read Lord Amherst's own statement of the energy of mind displayed by Sir David Ochterlony in preparing a military force to invest Bhurtpoor. I could

not find out what reason the writers of that letter could have had for the tracing a veteran who had grown grey in the Company's service. In a letter addressed by the Governor-General to the Court of Directors, dated October 1825, his Lordship thus expressed himself:

"The correspondence cited in the margin, shows the magnitude of the military preparations set on foot by the resident, in contemplation of his proceeding against the renowned fortress of Bhurtpoor; and we are happy to acknowledge that the rapidity with which a very considerable and well appointed force, and a most powerful battering train, were assembled ready for service at Muttra, reflects, in a military point of view, the highest credit on the energy, zeal, and exertions, both of Major-General Sir David Ochterlony, and of Major-Generals Reynell and Sir G. Martindell, commanding the Marut and Cawnpore divisions."

Here, then, were three officers, who, but for the interposition of Lord Amherst, would have gained immortal honour by the taking of the fortress of Bhurtpoor—a maiden fortress, which never had been taken; and surely when the rights of an infant Rajah were to be protected by the Company—when the cousin of the Rajah had set himself up as entitled to the *guddee*—and when, perhaps, he meditated the destruction of the real heir, it was high time that some individual in the Company's service, some person conversant with the Native Princes, should be selected to settle an affair of such vast importance. No human being better understood those transactions than the old and honourable officer who had taken them in hand, and who had so unaccountably been set aside by Lord Amherst. Disease, aided by the painful feelings, the corroding sensation, that men not possessing half his knowledge were preferred to him, burst the cords of Sir D. Ochterlony's heart; so, in other words, the conduct of the Governor-General (in council, if they so pleased to designate it,) hastened that meritorious officer's dissolution.

MR. HUME.—The Court will do well to take a more extended view of the question. My hon. friend, Dr. Gilchrist, has spoken very justly of the officers in the Company's service, and I must observe, that I partake of that feeling and opinion very generally entertained in respect to the treatment of the Company's officers. It is well known that many of the Company's best and most experienced officers have not been treated in a manner which their situation deserved. I have seen many letters from individuals who naturally were not disposed to find fault—written by men standing high in the Civil and Military departments—men who felt deeply the interest of the service to which they were attached, and strongly for the general prosperity of the Company, and from those I can state with confidence, that reflections have been understood to have been thrown on those individuals by the conduct and orders of Sir Edward Paget and Lord Amherst. I speak of them together, because their orders were so mixed up that it was impossible to know by whom they were issued, or with whom they originated.

The history of the gallant officer, (Sir D. Ochterlony,) which has been brought forward, is truly lamentable. The fame and character of that meritorious officer, do not rest on a single occurrence like that on which the Court were about to vote their approbation to Lord Amherst. No—Sir D. Ochterlony has signalized himself on many occasions. After 20 years of arduous service, in this Court, I venture to assert, he received as unanimous a vote of thanks as ever man received within these walls. (*Hear.*) Sir D. Ochterlony had also received the thanks of the House of Commons, and his Majesty himself had honoured him with an augmentation of his armorial bearings. (*Hear.*) I therefore contend that the unworthy treatment Sir D. Ochterlony has received from that upstart man of the day, Lord Amherst, deserves the severest censure. Lord Amherst is ignorant of the affairs of India, and when he was no longer able to answer the arguments of Sir D. Ochterlony, contained in that officer's letter, his Lordship endeavoured to show the Court of Directors that Sir David had passed his meridian—that he was absolutely in a state of dotage,—and that his conduct and language

were not to be borne. I have read that part of the correspondence to which Lord Amherst alludes, and so far from its deserving the abuse which his Lordship sent home respecting it, in my opinion it proves that at the advanced age of sixty-eight, the vigour and energy of Sir D. Ochterlony's mind remained unimpaired. (*Hear.*) These letters, I think, show as much energy and talent, and the proceedings he adopted were distinguished by as much judgment and vigour as can be manifested by any individual placed in the same situation. (*Hear.*) It is very easy when there is a lack of argument to adopt a system of abuse, (*hear.*) and such has been the course pursued by Lord Amherst. It is not difficult for a Governor-General, in correspondence relating to proceedings of officers, to give what colour he pleases to acts of which he disapproves; but finding, ultimately, that he had been wrong, and the officers right, he ought to have had the honour and manliness to have stated the fact: this, however, has not been done in the case of Sir D. Ochterlony. In consequence of what has fallen from my hon. Friend (Dr. Gilchrist) I am of opinion that the whole of this part of the correspondence was an underhand attempt to call into question the capability of Sir D. Ochterlony to carry on the important measure he had devised, relative to Bhurtpoor. This was the conduct adopted by the Governor-General, instead of supporting those plans which Sir D. Ochterlony considered as essential to the character and interest of the Company. No set of men were ever placed in a situation more extraordinary than Proprietors were, in consequence of the vote of thanks to Lord Amherst, which has been recently passed. The Proprietors were called on to approve of his Lordship's conduct for one of the most precipitate proceedings that can be imagined—for hurrying the Company into a war, without deliberate consideration—without taking the opinion of any servant of long standing and experience. Lord Amherst arrives in India without any knowledge of the officers of the country. I do not say this in degradation of the Governor-General, because any man going out to India must, of necessity, be ignorant of Indian affairs at first. This circumstance, however, forms good reason for acting with prudence and caution, instead of being guided by opposite feelings. The Court, it is true, has approved of Lord Amherst's policy, but, thank God, I have not concurred in the approval. His Lordship's proceedings were hasty, rash, and improper, with respect to the Burmese war, and were commenced, as appears from the documents, without the concurrence of any public officer. For this haste and precipitation he has received the thanks of this Court; and what is the Court now called on to do? Why, you are asked to thank the noble Lord, not for his promptitude, but for his delay, (*hear.*) the very opposite quality to that for which he has already received your approbation. (*Hear, hear.*) Yes; his Lordship is now to be thanked for delaying the proceedings of one of the ablest officers in India; and that too in the face of the fact, that the whole of his Lordship's council were in favour of Sir D. Ochterlony's opinion. I think then, that it is preposterous to thank the Governor-General for his forbearance, instead of condemning him for his delay. By this proceeding the Court will, in fact, throw a slur on the conduct of Sir D. Ochterlony, and I cannot concur in the vote, worded as it is—whether or no it is grammatically drawn up I cannot tell—but it seems to me most decidedly to cast a slur on Sir D. Ochterlony for the measures which he had proposed, relative to Bhurtpoor.

I now wish the Court to inquire what those measures were, and under what circumstances they were proposed. At the time alluded to, Sir D. Ochterlony was political resident at Mulwa and Rajpootana, and I shall presently request, that the instructions, under which he acted, shall be read to the Court; because, on the instructions which he received, must, in a great measure depend the vote which the Court ought to pass for or against the conduct of that officer. I hold it to be an undoubted fact, that, in the situation in which Sir D. Ochterlony had been placed, he did no more than had been previously done on twenty different occasions. He then held a situation in which he had acted for more than twenty years. In the year 1803, he was appointed resident at Rajpootana, by the late Lord Lake; and from the time he was placed

in that important district, he had constant transactions with Rajahs, and other Natives of high rank. Some of these transactions it was almost impossible to unravel; they were nearly inextricable, and Sir David Ochterlony could never have managed them if he had not had a more intimate knowledge of the habits, manners, and language of the Natives than the majority of those by whom India is governed. Before, then, the Court approved of Lord Amherst's "forbearance," they ought to know what powers Sir D. Ochterlony acted under. It will be well to consider, whether he had not, on other occasions, ordered officers and troops to march, in virtue of the authority vested in him, for the purpose of carrying into effect measures, devised by him, for supporting the political influence of the Company. If I am correct in this view, it is most important, before the Court casts a reflection upon the political conduct of the gallant officer, that they should be satisfied on these points. It will be a question, naturally suggested to me, "How did the Company stand with respect to Bhurtpoor, at the time Sir D. Ochterlony assembled forces for the purpose of taking that fortress?" It is a very simple question, and deserves an explicit answer, particularly as the British Government had been complained against for interfering with the internal affairs of other States. It appears then, by the papers on the table, that in 1803, a treaty, offensive and defensive, was concluded with the Rajah of Bhurtpoor; hostilities, however, commenced afterwards; but in 1805, after our unfortunate repulse before the fortress of Bhurtpoor, another treaty was concluded between the British Government and the Rajah. I do not know whether any treaty, subsequent to this, was in existence, but, by this treaty, we were bound to consider the Rajah an independent prince, to afford him assistance in case of his being attacked, and to guarantee to him the possession of the rank and situation in which he then stood. I therefore contend, that if they, by any act of the British Government, through the medium of Sir D. Ochterlony, or any other person, were thus situated, they ought to consider themselves bound to keep up the succession to the rajahship in the regular line. The conduct, therefore, of Sir D. Ochterlony, in endeavouring to secure the regular succession, so far from warranting blame, deserves, in my opinion, the thanks and approbation of the Government.

The Government had, however, acted very ungratefully towards Sir David Ochterlony. From 1803 to 1824, the gallant officer was their political agent at Rajpootana; and he had shown talents of the first order in forwarding proceedings in the war against the Gooikahs. No man ever received more approbation, and no man ever deserved it more than Sir David Ochterlony did, for his conduct during the whole of that contest. He displayed a degree of information and decision which was highly honourable to him and extremely beneficial to the Company. I have heard military men say, that when misfortunes overtook the Company's troops on that occasion, that Sir David Ochterlony's skill had retrieved the ill success of others, and his gallant conduct had prevented any disgrace from tarnishing the Company's arms, though the troops had received a check, and therefore he received the unanimous thanks of Parliament and of the East India Company; and the Court ought to be very careful how, by any resolution they might pass, they cast a stigma on his character, which I conceive the present resolution will unquestionably do. And why did the Court act thus? Because Sir David Ochterlony, by virtue of the authority vested in him, did, in 1825, direct troops to assemble to aid the political views which he entertained with respect to Bhurtpoor. I regretted, from my heart, to read the letter of the Bengal Government in 1824, declaring their ignorance of the situation in which they stood with reference to Bhurtpoor. They called for more information, and declared that Sir David Ochterlony had not afforded them any satisfactory statement on the subject. This circumstance reflects more disgrace on the Bengal Government than I have words to express. I therefore demand to know, on what grounds Sir David Ochterlony acted, and whether his proceedings went to impugn the orders he had received, while political agent at Rajpootana? Sir David Ochterlony, in 1824, foreseeing (and no man possessed more foresight, or knew

better how to act under such circumstances) the probable chance of a disputed succession to the rajahship on the death of Bulwer Singh, the then sick and aged Rajah of Bhurtpoor, thought it would be advisable to secure the interests of the lawful claimant to the rajahship, by giving him such support as would prevent a disputed succession from taking place. On the demise of the Rajah, however, such a succession did occur, and I shall state to the Court how. I thought that the British Government was bound, if not by actual treaty, at least by an undertaking which prevailed in other cases, to prevent an interpoler from becoming Rajah of Bhurtpoor. I can, I believe, open the door of twenty cases, where the British Government have interposed, without having half the reason which can be pleaded for such interference, in this instance. Bulwer Singh, the then Rajah, was sick, and wished to settle the question of succession. Some differences had occurred between the Company's political agent at Delhi and him, but it was made up. The Natives were apprized of the circumstance that the preceding disagreement was forgotten, and they were informed that the Rajah and the British Government were upon friendly and amicable terms. The treaty which, at a former period, had been concluded with the Marquis of Hastings, appeared not to have been made matter of public entry—at least, so the Governor-General said; but the series of letters which had passed between Sir David Ochterlony and the Marquis of Hastings, showed that they concurred in opinion as to what should be done with respect to Bhurtpoor. The Rajah wished his son, Bulwunt Singh, to have the peaceable succession to the dignity which he then held, and with that view he applied to the British Government for a *killaut*, or dress of investiture for the boy. This was granted, and the *killaut* was given by Sir D. Ochterlony; the British Government, thus recognizing the youth as the son and heir of the Rajah, and showing their friendship to the latter by concurring in this measure. This, I understand, to have taken place about twenty days before the death of the Rajah, Bulwer Singh. But whatever time elapsed between this transaction and the death of the Rajah, Sir D. Ochterlony considered that, by the payment of the expense of the new investiture for the Rajah's son, and, from other circumstances, that it was an approved measure; the object of which was to recognize the present Rajah as heir-at-law and successor to his father. The Company did so acknowledge him; when, on the 8th of February following, the death of the Rajah left the young man in possession of the dignity which had been held by his father. Was this, I ask, more than the British Government had done on all occasions? If there were any instances where, having sanctioned a certain succession, the British Government had, on the death of an individual, refused to act in support of the person whom they had so sanctioned, I have no recollection of them. In this case, the fact was illustrated, that the resident of the Company, a man of great experience, who had filled that situation for twenty years, had, with the concurrence of the British Government, bound that Government to see that Bulwunt Singh succeeded his father, on the death of the latter. It is therefore perfectly evident, that Sir D. Ochterlony acted on the occasion conformably with the custom which prevailed in other cases of the same nature. The step was clearly taken to prevent the breaking out of war on account of a disputed succession in the very heart of our territories, which, if ever begun, it was impossible for any man to say where it would end. Bhurtpoor being surrounded by the Company's territory, it becomes a matter of importance to keep it free from disturbance. Sir D. Ochterlony had it in view to avoid the renewal of a circumstance, of which every man must be aware, on reference to what had occurred in 1804-5.

I have mentioned the circumstance without meaning to cast any reflection on the memory of Lord Lake; but it is notorious, that in the course of the war which was then carried on, Bhurtpoor was the only place that had stopped his career, and gave a check to the Company's army. Such was the effect produced on public opinion by the reverse which the Company's troops there suffered, that it became an object with the British Government to prevent a renewal of the contest at Bhurtpoor, unless it was carried on in such a manner as to ensure the surrender of the fortress. I am, therefore, satisfied that

the conduct of the Marquis of Hastings, and of Sir D. Ochterlony, was expressly directed to the prevention of hostilities. They felt that if they could (as had been done in other cases) bring the minor within the scope of British influence, they might, by degrees, amalgamate that territory with the territories of the Company, and thereby remove the reproach which our failure before Bhurtpoor had laid us open to. The correspondence between the Marquis of Hastings and Sir D. Ochterlony clearly demonstrated, that they were united in opinion as to the line of conduct that ought to be pursued with respect to Bhurtpoor; and looking to the correspondence, I think it is too much to be called on to praise Lord Amherst for opposing that course of policy which Sir D. Ochterlony was prepared to follow when the moment had arrived which would have enabled him to carry into effect the wishes of the preceding Governor-General. For my part, I would rather pass a vote of direct censure on the noble Lord, which would be the best mode of proceeding, than agree to this absurd motion of thanks. The noble Lord deserved censure, not praise, for the part he took, contrary to the opinion of Sir D. Ochterlony and of his Council. I see no reason for thanking Lord Amherst for his subsequent conduct, what had been effected was not owing to him, but to the gallantry of our troops. When Lord Amherst could no longer oppose the opinion of his Council, he adopted those measures which Sir D. Ochterlony had formerly advised. His Lordship had done every thing to thwart his conduct,—and now, forsooth, the Court is called on to thank him for his “forbearance.” In March 1825, Sir D. Ochterlony communicated to the Government the fact, that on the death of the Rajah, an attempt had been made by Durjunt Sal, a cousin of the new Rajah, to get possession of Bhurtpoor; that the citadel had been attacked and captured; and that the usurper had seized upon the young Rajah, and made himself master of all the property in the fortress, contrary to the arrangements which went to secure the rights of the son of Bulder Singh, and contrary to the express wish and policy of the British Government. The consequence was, that Sir D. Ochterlony assembled a body of troops for the purpose of expelling the usurper. Now, if Sir D. Ochterlony had the power of ordering troops to assemble as he had done, did it not behove the Court to weigh well the circumstance, before they agree to a vote that reflects on his conduct, particularly when they consider the manner in which negotiations were carried on in India—that was, backed by a military force? Could any man say that the vigour and energy which Sir D. Ochterlony had displayed in preparing to proceed to Bhurtpoor, for the purpose of opening a negotiation, he having a body of troops in readiness to enforce his demands, were not calculated to produce a very powerful effect? Immediately on receiving intelligence of Durjunt Sal's proceedings, Sir D. Ochterlony proclaimed him an usurper—a murderer—and an enemy to his family, and he got together a body of troops to drive him out of Bhurtpoor. Is there, I will ask, a man in this Court with any experience of Indian affairs, who will believe that Sir D. Ochterlony, aided by that force, which, from what has been read by my hon. Friend, (Doctor Gilchrist,) has been admitted by the Government itself to be highly respectable, would not, if he had been allowed to proceed, have effected the object he had in view? His success was certain, when it was recollected that the authority of the usurper had scarcely been assumed, and when it was known that a difference of opinion existed amongst the troops in Bhurtpoor, part of whom were in favour of, while another portion of them declared against the usurper. Under these circumstances, I am bound to say, that there is not a man I have met in this country, who has communicated with me from India, who is not of opinion that if Sir David Ochterlony had been allowed to move down to Bhurtpoor with his troops, he would have carried the fortress. For my own part, I am quite sure of what the event would have been in the then state of affairs. The power and authority of the usurper were not at that time fixed and established,—and there existed an angry dispute between the troops in the fort.

This being the state of the case, there is not a man with whom I have com-

municated, who does not conscientiously believe and declare, that if prompt measures had been resorted to, the British troops would, in the course of a few hours, have obtained possession of Bhurtpoor, and freed Bulwunt Singh from his thalidrom.

It now comes to be considered in what situation we have been placed by the "forbearance" of Lord Amherst. The Court of Directors calls it "forbearance;" but it appears to me to be pusillanimity, arising from a want of knowledge of the manner in which the affairs of the Native Courts are carried on, and the way in which disturbances arising in those Courts could be most effectually quelled. I scarcely know what epithet to apply, to mark with sufficient force the ignorance with which Lord Amherst has acted, and the arrogance he has manifested in opposing his opinion to that of Sir David Ochterlony, and of his own Council; because it was only by consulting the opinions of men who have been long on the spot that we can hope to arrive at a just judgment; and yet Lord Amherst chose to reject such opinions, and to act entirely on his own responsibility. It is quite evident, that Sir David Ochterlony, with a force so respectable as that which he had collected, assisted by a formidable train of artillery, and supported as he would have been by a portion of the troops within the fortress, must have succeeded in obtaining whatever terms he might have thought proper to have demanded. Sir David Ochterlony's confidence of success was quite clear, from his letter of the 25th April, in which he observed that, had the orders of the Government arrived a few days later, matters would have been brought "to an amicable and honourable conclusion." Sir David Ochterlony felt, that, had he been suffered to proceed, every thing would have been arranged in favour of Bulwunt Singh, the rightful Rajah. I do not mean to say that Sir David Ochterlony might not have been mistaken, (*hear*); but I think that his conduct, looking to the opinions of the Natives, and marking the usual course of Indian policy, was right, and that the proceedings of Lord Amherst were wrong. I hate vacillating measures. If a Government have a particular object in view, let them manfully declare it, and endeavour to effect it in the most prompt manner. The Governor-General in his despatch, stating his reasons for disapproving of the proceedings of Sir David Ochterlony, used the following expression:—"Nothing, in our opinion, but a case of the most indispensable emergency could have justified our ordering into the field the small force which we had at that time disposable in Upper India, and the engaging in fresh hostilities; the duration and extent of which it was impossible to calculate with any certainty, when the season of the hot winds had actually commenced. We could not view the occurrences at Bhurtpoor as constituting any such emergency; nor were we prepared to admit that we were bound by any engagements, express or implied, to support the accession of the rightful heir to the Bhurtpoor Rajah, by our immediate resort to arms, at all hazards, and without any reference to time, circumstances, and consideration of general expediency."

This is a pretty statement. Why, good God! they all knew that our conduct with respect to the Native Powers of India, depended, in most instances, on engagements not half so strong as those by which we were bound to the lawful Rajah of Bhurtpoor! Why therefore should Lord Amherst have indulged in insinuations of this kind, implying, as they did, a censure on the proceedings of an old and experienced Commander? His Lordship went on in a similar strain to say:—"Besides, Sir David Ochterlony has evidently acted upon the most imperfect and unsatisfactory information regarding the real facts of the case." Why, so far from this being correct, I would undertake to say, that if there be any man in India in perfect possession of the necessary information, that man is Sir David Ochterlony, who was on the spot for twenty years.

His Lordship proceeded:—"No call had been made by him (Sir David Ochterlony) on Durjunt Sal, for an explanation of his views and conduct, and we were consequently wholly ignorant both as to what plea he might have

to offer in justification of the apparent violence of his proceedings, and likewise what object he professed in exciting disturbances."

Now I ask, was it fair to assert that Sir David Ochterlony did not make a call for explanation on Durjunt Sal? He did make that call; but he well knew, that if he made it without having an imposing force at hand, it would be useless. He knew in that case he might as well speak to the idle winds; but suppose Lord Amherst and the Indian Government had been unanimous in proceeding to hostilities, would it not have been their duty in the first place, to have allowed a trial of negotiation, backed by the force which Sir David Ochterlony had assembled, evidently for the purpose of giving weight to any proposition which he or the Government might make? If this plan had been adopted, the British would have had an opportunity of withdrawing from the contest (their demands being conceded), with much more honour and credit than they afterwards could do, considering the situation in which they were placed. I can state an instance which most fully bears out the propriety of Sir David Ochterlony's proceedings, and where the adoption of measures similar to those pursued by that gallant officer was pointed out as the solitary mode of preventing disastrous consequences. I recollect, indeed I was present when a negotiation was attempted with the Rajah of Calicut. This individual manfully asserted that he could not consent to any negotiation which would not convince the Indian world that he was not a coward. "It is (said the Rajah) necessary that I should retain my character—that of a brave soldier—and with that view, I must convince the people, that I yielded only to force and the pressure of the occasion." Now, I am convinced (said Mr. Hume) that Sir David Ochterlony, in assembling a body of troops, acted in accordance with that very feeling and principle.

Sir David Ochterlony could not tell what the Government thought respecting the motives of his conduct; but it certainly was the most unfair thing that could be conceived, to say, that he did not understand his own plans, or know what he was about, when he marched his troops towards Bhurtpoor, stating that he would, thus supported, go there and negotiate, if he were allowed so to do by the Government. On that ground I contend that Sir David Ochterlony has been most injuriously treated, and the character of that gallant officer would necessarily suffer, if the Proprietors agreed to the vote which they were called on to give. If the whole of the Bhurtpoor business could have been amicably settled by Sir David Ochterlony, I, for one, cannot agree to a vote of thanks to the Governor-General, because instead of supporting the decisive and energetic measures which Sir David Ochterlony long had set on foot, in defence of British faith, honour and character, he thought fit to countermand them. Sir David Ochterlony was acquainted with every thing connected with Bhurtpoor. He knew that "*forbearance*," or what I would call "want of decision," would end, as it did eventually, in protracted hostilities and loss of human blood. I do not know the exact loss attending the subjection of Bhurtpoor; but had Sir David Ochterlony's plans been carried into effect, it might have been avoided. When Sir David Ochterlony ordered those troops to march, the fortress was in a defenceless state. The ramparts were out of repair—there was no water in the ditch—the force within the walls were divided in opinion: a part of them being attached to the young heir, and the remainder favourable to the usurper's authority. If at that moment Sir David Ochterlony had appeared before the place, it must undoubtedly have fallen, with not one-tenth of the trouble which afterwards occurred in its investment. Instead of that course, however, Lord Amherst proceeded on the principle of "*forbearance*," yet all he did was to give the enemy time to deepen the ditch, to raise ramparts, and to procure troops. The consequence ultimately was, that the fortress sustained a siege of six weeks, attended, perhaps, with as much loss as was ever suffered at any siege in India. Are you, Gentlemen, not to consider the expense occasioned by this procrastinating policy? Durjunt Sal, with his usurped power, and having possession of a strong hold, could, it was clear, muster about him all the disaffected troops in the country, and therefore it must appear evident, that it was impossible

to retake the fortress, and to do justice to Bulwant Singh, without using absolute force.

The despatch, to which I have before referred, stated, however, that Sir D. Ochterlony had no right to act as he had done, though the result proved that his view of the policy that ought to have been adopted was perfectly correct. I was extremely sorry when Durjunt Sal was called on for an explanation; that mere words of course—"that he did not mean to usurp the rajahship,"—should have imposed on the Governor-General. A few days, however, had only elapsed when that, which Sir D. Ochterlony had anticipated, came to pass. The usurper, after endeavouring to throw blame on Ram Rutun, the uncle of the young Rajah, who had fallen in the contest, when Bhurtpoor was seized upon, addressed a letter to the Governor-General, to which he signed his name as Rajah, and claimed the whole power and authority connected with that situation. This was only a few days after the Governor-General, in consequence of Durjunt Sal's representations, had actually accorded him his confidence. At the time he made those false representations, the usurper was laying his plan to seize on the Government, and to possess himself of the treasure in the fort. If Lord Amherst had permitted Sir D. Ochterlony to proceed, fifty lacs of rupees would have been rescued from the gripe of the usurper. But it was this very act of "forbearance," for which you are required to thank Lord Amherst, that enabled him to consolidate his power, and to make use of the immense treasure which was in the fort; a circumstance that had not been taken into the account. Sir D. Ochterlony said, "I deem it wise to secure the friendship of this State by guarding the regular succession of the Rajah; because the treasure in the fortress is immense, and, if it gets into unfriendly hands, it never can be used in any other way but in hostilities against us. Therefore I think it prudent, and politic and wise, to secure a good understanding with the lawful Prince." Sir D. Ochterlony's prudence told him that, if the Company had the Rajah under their protection, they would probably receive some of the treasure, with which they might pay their debts, or which they might expend for some other useful purpose. This would be a great deal better than laying it out for bands for rival brothers, as had been done. Lord Amherst did not foresee that which appeared clear to Sir D. Ochterlony; viz., that this delay, or forbearance, would occasion risk and peril to the whole of their ultimate proceedings. Sir D. Ochterlony knew well, involved in what, as the Company were in another quarter, that energy and decision should be manifested, and this he distinctly stated in his letter of the 25th of April 1825, in which he tendered his resignation to the Governor-General. He there says, "I considered that every moment's delay was submission to disgrace; and, I feel that a few days' delay in the arrival of your express would have brought matters to an amicable and honourable conclusion." Sir David Ochterlony observed elsewhere, "that the course proposed by the Governor-General could not be followed without placing in peril, the best interests of the Company." I, therefore, for one, cannot agree to an approval of the conduct of Lord Amherst, opposed, as it is, to the safe and long tried experience of Sir D. Ochterlony.

What that gallant officer foretold, had actually happened, and six months after his energetic measures had been defeated, the Government was obliged to carry into effect that which he had advised. Durjunt Sal and his brother, it appeared, opposed each other; they marshalled around them as many adherents as their means would maintain. One of them was stationed near the fort, and the other in it. This state of things was allowed to continue for three months; and I should be glad to know what new circumstance had occurred—what proceeding had taken place—that was not in existence for months before, which stirred up Lord Amherst to sanction hostilities at the time he did. I contend that nothing had occurred of a novel character, but that the self same causes for warfare existed for months before.

It is quite evident, that not one circumstance had changed up to that time from the moment when Sir David Ochterlony could have settled the business amicably. The enemy, to be sure, had been afforded six months to make pre-

variations for his defence. I should wish to know then, what new circumstance induced the Governor-General to change the opinion which he expressed to Sir Charles Metcalfe, on the 16th of September, when he said, that the Company had no right to interfere in the disputes going on at Bhurtpoor. If the rival bands had ravaged the country, or become in any other way offensive and dangerous to us, that would have afforded a new ground for interference on our part. But I have looked in vain for any such fact. We must then come to this important conclusion, that Lord Amherst having countermanded the wise measures adopted by Sir David Ochterlony, for settling the disputes at Bhurtpoor without bloodshed, assigning as a reason that the Company was engaged in a war with Ava, &c., after allowing six months of preparation to the usurper, without any change of circumstances, (hostilities with Ava still continuing in a more doubtful shape than ever,) thought fit to direct measures to be adopted for the reduction of the fortress. His lordship then, considered it necessary to interfere in the existing disturbances in Bhurtpoor, although only six months before he had said that we had no right to interfere. He now directed Sir Charles Metcalfe to support the rightful prince; before he said that he did not know who was the rightful prince. He further directed that the usurper should be expelled, and a regency appointed during the minority of the young prince. All these things were in opposition to his former declared opinion, and yet I can discover no ground for the change in his sentiments. The conduct of his Lordship certainly justifies me in saying, that he blew hot and cold with the same breath.

Of the manner in which the operations against Bhurtpoor were conducted, I do not mean to say one word of blame. In the subsequent votes to the officers and troops, I fully concur. I am willing to give them my humble praise for their conduct in the difficult situation in which they were placed by the imprudence, the ignorance, and the vacillation (I do not know what term to give it) of Lord Amherst. If any Proprietor thinks proper to move a vote of censure upon Lord Amherst, I will join him. I think his measures were ill-timed, and altogether intended to mark his disrespect for Sir D. Ochterlony. No man present will, I am sure, wish to cast any stigma on the memory of that gallant officer, after I have read to them a general order published at his death by the same Lord Amherst, who wrote to the Court of Directors, impugning his talents, intellects, and abilities for his situation. The order to which I allude, is as follows:—

“ Political Department, July 28, 1825.

“ The Right Honourable the Governor-General in Council has learnt with great sorrow the demise of Major-General Sir David Ochterlony, Resident in Mulwah and Rajpootana. This melancholy event took place on the morning of the 15th instant at Meerut, whither he had proceeded for the benefit of change of air.

“ On the eminent military services of Major-General Ochterlony it would be superfluous to dilate. They have been acknowledged in terms of the highest praise by successive Governments; they justly earned a special and substantial reward from the Honourable East India Company; they have been recognized with expressions of admiration and applause by the British Parliament, and they have been honoured with the signal marks of the approbation of his sovereign.

“ With the name of Sir David Ochterlony are associated many of the proudest recollections of the Bengal army; and to the renown of splendid achievements, he added, to the attainment of the highest honour of the Military Order of the Bath, the singular felicity of opening to his gallant companions an access to those tokens of royal favour which are the dearest objects of a soldier's ambition.

“ The diplomatic qualifications of Sir David Ochterlony were not less conspicuous than his military talents. To an admirably vigorous intellect and consummate address, he united the essential requisites of an intimate knowledge of the Native character, language, and manners. The confidence which

the Government reposed in an individual, gifted with such rare endowments, was evinced by the high and responsible situations which he successively filled, and the duties of which he discharged with eminent ability and advantage to the public interests."

This is the way in which Lord Amherst spoke of the man whom he had employed every means to lessen in the opinion of the Court of Directors. The treatment which that gallant Officer received led to his death. He died broken hearted, not only on account of the disgrace which he conceived to have been inflicted upon himself, but also because he anticipated the most lamentable consequences to the interests of the Company from the system which the Governor-General was pursuing. The Court should consider that the friends of Sir David Ochterlony are not present to repel the charge which, I say, this resolution brings against him. For the vote of thanks to Lord Amherst is virtually a vote of censure upon Sir David Ochterlony. On the grounds which I have stated, I shall give my unqualified opposition to the motion, and I hope the Court will support me.

Dr. GILCHRIST.—I will give my hon. Friend an opportunity of redeeming the pledge which he made to support a motion for a vote of censure upon Lord Amherst. I move a vote of censure upon his Lordship, because I once belonged to the Bengal army, upon a distinguished member of which Lord Amherst has cast such obloquy. I am not afraid to come forward on this occasion. I have suffered so much in the course of my peregrination in the world, that I have learnt to put all kinds of opposition and oppression at defiance; I am conscious that I am acting uprightly, and as a friend of the Company. If Lord Amherst had delayed six months before he invaded the Burmese territories, it would have been of much greater consequence to the interests of the Company than the five or six days' delay which he said Sir David Ochterlony ought to have made. I stand up on this occasion for the reputation of a brother officer of the Bengal army. It shall not go forth to the world, that because that brave officer is dead, and has no longer any favours to bestow, not one person would rise to defend his character and move a vote of censure upon Lord Amherst for his conduct with respect to Bhurtpoor. I have read all the papers, and the more I have read the more have I been convinced that if we have reason to find fault with Lord Amherst with respect to the Burmese war, we have twenty times as much cause to blame him for his conduct regarding Bhurtpoor. Sir David Ochterlony could have taken the fortress by a *coup-de-main*. It certainly might have produced mischief if he had not succeeded; but it appears impossible that he should not have succeeded.

There has been a doctrine broached in this Court which I was sorry to hear, namely, that we should yield a slavish submission to the executive power. An hon. Proprietor stated that he would support the opinion of the executive because they must be better acquainted than he was with the facts of the case. I will not pin my faith to the sleeve of any man. Such a doctrine may suit the members of the Holy Alliance; but whilst I can stand on my legs, or move my tongue, I will challenge any improper act which the executive body may perform, and hold up both my hands against it. I think the resolution before the Court will, if carried, cast an indelible blot on the memory of a brave and gallant officer. Would to God that he were now living, that honours might be conferred upon him. It has long been the opinion of the Company's officers that they are thrown into the back ground by the King's officers, who, they think, snatch from them the honours which they ought to have. It is unjust to the King's officers to entertain any such feelings, and the result must be prejudicial to the interests of the Company. An able pamphlet has lately been written by a King's officer, which set this matter in a clear point of view. This pamphlet ought to be read by all the Company's officers, and if they can refute the statements contained in it, they had a fair opportunity of doing so. Until that be done, I think the King's officers have reasonable ground for complaint, and it becomes the Company to do them justice, and not to keep in their service a large discontented military force.

'This is a subject which should occupy the attention of this Court, but we have always been so supine with respect to all that concerns our interests, that the Government found it necessary to establish a Board of Commissioners, to superintend our affairs, which now divided the patronage with the executive body. If this court had done its duty, there would have been no need of a Board of Control; and if we had not kept the loaves and fishes for ourselves, we might have left them to our executive body. There are not less than 2900 Proprietors, and yet how few are present to consider this great question, by which we are to raise one man to the skies, and to slay another brave officer under the weight of a load of obloquy. In looking at the list of Proprietors who have read the papers, in order to make themselves masters of the question before us, I found only seven names inscribed as having done so. This is a proof of great supineness on the part of the Proprietors. If men in power are not watched over and checked they are sure to do wrong. History proves this fact, and in support of it I may refer you even to the Bible. The man after God's own heart, when possessed of power, became one of the vilest animals that ever lived. Our executive body are not better than David was. If he could not be trusted with another man's wife, our executive body ought not to be trusted on all occasions, (*Laughter, and cries of Order.*) I am standing up in defence of a brave man, who has passed the best part of a long life in our service, and I tear the face of no man. These orderly gentlemen are frequently most disorderly, for they interrupt by their storms the serenity of rational debate. I hope soon to see more spirit and manliness displayed in this Court than has been for many years. We are approaching a crisis which must decide the fate of the Company. If Lord Amherst has been wrong in the means which he employed to bring about even a successful issue, we ought not to pass him a vote of thanks. I will now put it in the power of my hon. Friend to redeem his pledge, by moving a vote of censure on Lord Amherst, for his conduct respecting Bhurtpoor.

The CHAIRMAN said, that as this was an Amendment to the original motion, it was necessary that it should be reduced to writing.

Doctor GILCHRIST then wrote the following Amendment:

"That this Court, on mature consideration of the papers submitted to it, is of opinion, that the conduct of the Governor-General in Council, in his forbearance to proceed against the usurper of Bhurtpoor, at the time that Sir David Gchterlony ordered troops to assemble for the purpose of attacking him, deserves our decided disapprobation and censure."

Mr. HUME seconded the amendment.

General THORNTON.—I am quite as unwilling as the learned Doctor, to support our executive body, when I think that they are wrong. It has been my misfortune to differ very often from the Court of Directors. It always gave me much concern to do so. It now affords me considerable pleasure to state, that I agree with the Court of Directors, as to the propriety of thanking Lord Amherst, in one instance, for his forbearance; and in the other, for the spirit and activity with which he carried on the war. I have paid great attention to both debates, and I think the speech of the hon. Member for Aberdeen, on a former day, clearly proved, that the measures which Lord Amherst adopted against the Burmese were absolutely necessary. He showed that the Burmese were continually making aggressions, and committing cruelties, to which it was necessary to put a stop. The forbearance which had been exercised by former Governments, had not produced the desired effect, and humanity required that decisive measures should be resorted to. In commencing war against the Burmese, I think Lord Amherst acted properly. It has been said, that the war was undertaken at an improper time; but a gallant officer, (Sir John Malcolm,) whose book has been quoted, stated, he did not *know* that the time selected was an *improper* time. This being the case, I am justified in *supposing*, that the war was undertaken at a *proper* time. (19)

(19) This is certainly a new mode of deduction: the argument may be easy and convenient: but it is neither very logical nor convincing.

The gallant officer made a speech, which met with the approbation of the Court in general, and I think he showed, that Lord Amherst's conduct had been perfectly correct. After the many able speeches which have been made, I will not detain the Court longer than is necessary, but will come at once to the question before us. Nobody can have a higher opinion than I entertain of the talents of the late Sir David Ochterlony—he deserved all the praise which can be given him; but it can hardly be expected, that he or any other man should be always in the right. It appears to me, that he was hasty in his proceedings; with respect to Bhurtpoor. I give Lord Amherst credit for displaying forbearance as long as it was possible to do so. When he found it necessary to resort to force, he sent forth an army in a proper manner, and their exertions have been attended with such signal success, as I think we ought all to rejoice at. I think that for his conduct on both occasions, his Lordship deserves our thanks; I must, therefore, vote against the Amendment, and for the original motion.

MR. CHARLES MILLS—(a Director).—I had hoped that the obvious merits of the present question, as well as the glorious situation of affairs in India, would have rendered the discussion of to-day very short. The hon. Member who opened the debate (Mr. Hume) said, that where argument was wanting, abuse could easily be resorted to. Now, I think, that from the beginning to the end of Lord Amherst's career, abuse has been most liberally bestowed on his Lordship in this Court. It really does appear to me, that his Lordship is blamed only because he has done more than was expected from him. Some hon. Gentlemen seem to feel great regret that their doleful prophecies have not been fulfilled—that all their anticipations of defeat and disgrace have not been followed by victory and glory. I certainly had hoped that some of those persons who, without giving Lord Amherst time for a fair trial, denounced him as incapable, would have embraced the present opportunity of generously expressing their conviction of their error, and have added their testimony in favour of his Lordship's merits. They have, however, thought fit to adopt a different line of conduct, and seem determined to pursue his Lordship with a malignity of feeling for which I am totally unable to account. The question before the Court, so far as Lord Amherst's merits are concerned, has been left entirely untouched. By the measures which he adopted, he has placed the British arms in India in the most glorious situation possible. The fall of Bhurtpoor has contributed more to the stability of our empire in India than any event which has occurred for a long course of years. I speak this on the authority of persons intimately acquainted with the country. I hope that the hon. Member who commenced the debate, and who appears to me to betray towards Lord Amherst a most unjust and ungenerous feeling, will stay out the discussion, in order to see with his own eyes the impression which his attack will produce on the Court. Lord Amherst has received from his Sovereign proud marks of distinction. Ministers have stated their intention of proposing the thanks of Parliament to him. We have already passed him a vote of thanks for his conduct with respect to the Burmese war by a triumphant majority, and, I trust, that our vote on the present occasion will not be less favourable to his Lordship. (*Hear, hear.*)

SIR CHARLES FORBES.—I congratulate the Court upon silence having at last been broken on the other side of the bar. The hon. Chairman has, both upon the present occasion and at the last Court, proposed a vote of thanks without condescending to state any grounds for that proceeding. I am perfectly aware that the hon. Gentleman will now refer me to the book before him, and will say, that on the last occasion I might, if I had pleased, have referred to a whole cart-load of papers for the grounds upon which he and his colleagues have thought proper to bestow these extravagant praises on Lord Amherst. I must, however, protest against being called upon to wade through the mass of documents laid before us, in the short time allowed for that purpose. I think that both these motions would have been properly preceded by a motion for printing the papers laid before us, so that every Proprietor might have been enabled to come to an honest and conscientious vote. I maintain

hat it is impossible that the Court, or one hundredth part of its members, can have made themselves masters of the subject respecting which they are called upon to decide. I have heard nothing upon this occasion which can induce me to make up my mind to vote for the question. I could have wished, that these votes of thanks had not been introduced in the manner in which such things are usually done; namely, by reading the motion proposed to be submitted to us. I think, that the person who undertakes to bring a subject of this kind before us, should enter into a fair statement of the circumstances which, in his mind, justify him in calling upon us to assemble and concur with him in the vote of thanks. I should like to know what would have been thought of Mr. Canning, if, on a late occasion, he had risen, in the House of Commons, and said, "I move an address to his Majesty, in reply to his gracious message, which is, as usual, merely an echo of that message. In doing this, I think it unnecessary to enter into any detail of the arguments on which I found this motion, but shall reserve myself till I hear whether any of you have any objections to make to it." It appears to me, that the usual order of proceeding, has been reversed, with respect to the present motion. We are called upon to vote thanks, without being told upon what grounds. In former days, (it would be happy for us if they were come back,) when votes of approbation, or censure, were proposed in this Court, they were preceded by such debates as I think are wanting on the present occasion; and this was more particularly observed in those cases in which unanimity had not prevailed in the Court of Directors. I think that those Directors who have not concurred in the votes which have been proposed to us, are bound in duty to the Court, and in honour to themselves, to stand up and acquaint the Court with the reasons which induced them to differ from their colleagues. We have been told, on a former occasion, by an hon. Director, whom I have in my eye, that the vote of thanks to Lord Amherst was carried by a large majority. I think we ought to know the nature of the majority which the hon. Director alluded to, in order that we might judge whether these votes have been carried by a majority of heads or a majority of brains. (*Hear, hear.*) I should like to be able to judge of the talents of the Directors who voted for and against the motion. I wish to see the Directors rise, one by one, in their places, and in a manly and straight-forward manner, avow the course which they have pursued. (*Hear.*) I have heard it rumoured, that the hon. Director, to whom I have before alluded, formed one of the small minority in the Court of Directors. If that be the case, I trust that the hon. Director will rise and tell us, in that manly manner which is so peculiar to him, his reasons for not agreeing to the vote. I also hope, that those hon. Directors who carried the vote against his opposition, will also rise and state to the Court, the grounds on which they proceeded. On looking behind the bar, I see there are not above a third of the Court of Directors present. On the former day there were only twelve present; not one of whom held up his hand either for or against the motion. I hope that, before we come to a decision upon this question, we shall be put in possession of some information as to which of the Directors supported, and which of them opposed it. I give the hon. Director, (Mr. Mills,) who last addressed the Court, credit for the straight-forward manner in which he expressed his sentiments in favour of Lord Amherst. I believe that he has entertained similar sentiments from the commencement of his Lordship's administration, I trust, that the hon. Director will give those who differ from him, and call in question his Lordship's conduct, equal credit for the purity of their motives. (*Hear, hear.*) When the hon. Member spoke of malignity being exhibited against Lord Amherst, I must, in kindness, suppose that, being unaccustomed to address the Court, (this being, I believe, almost his maiden speech), he was hurried into stating more than he intended, or was warranted in doing. (*Hear.*) For my own part, I can conscientiously disclaim any personal feeling towards his Lordship. I never had any acquaintance with him. His private character I believe to be highly honourable. From all I can learn, a more amiable and excellent man, in all the relations of private life, does not exist. It would have given me great

pleasure if I could have conscientiously placed my hand on my heart and said, that I considered Lord Amherst to be entitled to the thanks of this Court. It, however, does appear to me, that his Lordship, fortunately, has been more successful than could have been anticipated, or than any one dreamed of. But what difference should this make in our estimate of the policy of his measures. If I mistake not, it was in agitation, only twelve months ago, to recal his Lordship, and to send out the Duke of Buckingham as his successor. If I am mistaken on this point, I hope the hon. Chairman will set me right. I put a question upon this subject to the Chair on a former occasion, if I had added an s, and put it to the Chairs, I might, perhaps, have had a different answer from that which I received. It is, I believe, a fact perfectly notorious, as well known as that the sun is in the heavens, that the Duke of Buckingham was proposed to succeed Lord Amherst in the Governor-Generalship of India. That an intimation of this was conveyed to the Court of Directors, I will not say; but the existence of the intention cannot be denied. What then has occasioned so great a change of opinion with respect to Lord Amherst? The termination of the war has been fortunate, and brilliant success has attended our arms. Be it so. No man can feel more happy than I do at the close of the late war; and I think this fully warrants the Court of Directors in not recalling Lord Amherst. I will go that length. I should be sorry, if after these glorious results, Lord Amherst should be recalled. At the same time, however, I do not think the peace will be permanent. It is not unlikely that at this moment the war is renewed. Since Rangoon has been in our possession, it has been deserted by all the inhabitants. I understand that you may ride for miles without seeing a single soul. To return, however, to the question. I would not wish Lord Amherst to be recalled; but I know of nothing regarding him to justify this vote of thanks, neither do I see any which can authorise us to pass a vote of censure. I must declare that I am not in possession of that information which I ought to have before I can be called upon to vote. This information might have been supplied by printing the papers.

I must now say a word upon another point. I think that the vote, as it at present stands, will cast a reflection on Sir David Ochterlony. I am sure it cannot be the wish of any person on the other side of the Court, that it should be so construed. I, therefore, sincerely wish that the vote should undergo some alteration before it is carried, as no doubt it will be by the same triumphant majority as on the former occasion, that is to say, some 30 votes opposed to five or six. What could be thought of a vote of thanks carried in the House of Commons by a majority of ten to three, which is the proportion which the number of members of the Commons bears to that of the Proprietors of East India Stock? In such a case, the House would very properly be considered dissolved, there not being forty members present. There are now not above Fifty Proprietors present. I hope in the course of the day we shall have a more numerous attendance, and that we shall hear from behind the bar, reasoning more cogent than any I have yet listened to, in order to induce us to concur in this vote. I regret that in the subsequent votes, sufficient notice has not been bestowed on the Company's officers, as well in the military as in the marine service. Those who ought to stand forward and support the Company's officers, have not done so on the present occasion. I am certain that the Company's officers are as much entitled to honour as the King's. Commodore Hayes, of the Bombay Marine, is universally allowed to have exerted himself in the most gallant and useful manner. He is one of the bravest officers that ever stepped on board a ship. He is only one of the numerous instances to be found in the Bombay marine, of officers who would do honour to his Majesty's or any service in the world. I must once more say, that I congratulate Lord Amherst upon the successful result of his attack upon Bhurtpoor, though I know nothing of the grounds upon which he proceeded. I have heard that it is, contemplation to confiscate all the treasure and jewels of the Rajah. I hope that this is not the case, and would be glad to hear the intention disavowed from behind the bar. Such conduct has been

already too frequently exhibited in India. On most occasions where we have interfered between the Native Powers, we have ourselves swallowed the oyster and given the other parties the shells. It appears to me that we had no right to destroy the fortress of Bluitpoor, and no right to any property therein as prize. We have treated the Rajah of Travancore in the same way; seized upon all his ordnance and the military stores which he purchased at Madras, and which he has been obliged to pay for a second time.

It occurs to me before sitting down to remark that in the votes of thanks no notice is taken of the Bombay Government, although they have taken part in the tremendous exertions made during the late war. I can see no reason why the Bombay government should not be included in the votes of thanks. I have passed some of the happiest days of my life at Bombay, and I therefore do not like to see its merits passed over. In conclusion, I must declare that I bear no hostility to Lord Amherst; but unless I hear some reasons to induce me to change my opinion, I sit down with a determination not to support the vote of thanks to him.

Mr. MILLS.—I beg leave to say that it was not my intention to impute malignant motives to any man.

The CHAIRMAN.—I beg to trespass on the attention of the Court for a short time, because I think that some part of the hon. Bart.'s address may very naturally have excited an expectation that I ought to say a few words in reply. It is not my intention to make a long speech, for, of all things in the world, I am least satisfied with hearing the sound of my own voice. The hon. Bart. has charged either one or the other of the late Chairmen with something like a misstatement with respect to a report which he has heard from what he conceives to be most unquestionable authority, but which I am under the necessity of denying in the most unqualified way. The hon. Baronet stated he had heard from the most undoubted authority, that it was proposed by the Board of Control that Lord Amherst should be recalled, and the Duke of Buckingham appointed Governor-General in his stead.

Sir C. FORBES.—What I said was, that the recall of Lord Amherst, and the sending out of the Duke of Buckingham, had been proposed to one of the Chairs, about this time last year.

The CHAIRMAN.—If the hon. Baronet means to comprehend me in that statement, I must, as one of the Chairs, distinctly deny that any such proposition was made to us, nor do I know of the slightest authority for such a report, beyond a paragraph or two in the newspapers; and, for any thing I know, perhaps, the inclination of the noble Duke alluded to. (*A laugh.*) I am quite sure that no such proposition was ever made to the Chairs by any existing authority that could have the slightest right to interfere on the subject. (20)

(20) This is still an evasion.—The Chairman does not venture to say that no intention existed of recalling Lord Amherst—that no intimation of this intention was ever conveyed to his Lordship in India—and that the letter of his son, the Hon. Jeffery Amherst, to Mr. Charles Trower, of Calcutta, announcing his father's recall, stating the reasons of it, and appealing to the public of India against their injustice, is either a forgery or proceeded upon unwarrantable grounds. Whether the Duke of Buckingham was *proposed* to the Chairs as a successor, or not, is immaterial. Lord Amherst, either was intended to be recalled, or the letter of his son, published under his father's own eyes, was a fraudulent attempt to impose the grossest falsehoods on the Indian public, and to bring the Court of Directors into contempt, on the grounds of such false accusations, against their wisdom, justice, and integrity. If this letter was a fraudulent imposture, Lord Amherst is unworthy of their thanks. If the letter was grounded in truth, then the intention to recall him, and the reasons assigned, *did* exist: and the Court of Directors, by the eva-

Now, with respect to what the hon. Baronet has said about the Bombay Government not being included in the vote of thanks, I beg leave to inform him, that I am not aware of any exertions which that Government made to bring their conduct pre-eminently into notice, beyond obeying the orders which they received from the Supreme Government to contribute their part of the force, serving at Bombay, to the purposes of the Burmese war. In the instances in which the Bombay Government have been distinctly thanked, the hon. Baronet will recollect that they have, of their own accord, furnished a large proportion of the troops employed in the field, and directly assisted in the operations of the war. This was the case in the war against the Pindarrees. On both those occasions the Bombay Government stood in a more distinguished situation than they did with respect to the Burmese war. When we see how difficult it is to carry a vote of thanks in this Court, (21) we cannot, I think, be blamed for not increasing the difficulty by extending the motion further than was absolutely necessary. I am not unwilling to acknowledge the exertions of the Bombay Government, but I do not think it necessary to make them the subject of a vote of thanks.

Having stated thus much, in reply to the observations of the hon. Baronet on this point, I will take the liberty of saying a few words in justification of the course which I have pursued in bringing forward the present motion. I agree with the hon. Member for Alderley, that there existed just cause for a war against the Authorities at Bhurtpoor. We were bound, by the previous acts of the Bengal Government, to maintain the secession to the Rajah, and I only lament that the hon. Proprietor, in order to justify the opinion which he entertains of Lord Amherst's character, has thought it necessary to bring into invidious comparison the services of that gallant officer as ever served under the Company's flag, and to speak of the injustice done to him by the Bengal Government. (*Hear.*) I am quite as ready as the hon. Proprietor to bear testimony to the distinguished services of that gallant officer; but I am not, therefore, prepared to say, that every act of his was entitled to the unqualified support of the Government, or that he ought to have been exempted from that control which it has been proved necessary for our Governors-General to exercise. I am also disposed to admit, that individuals, exercising the functions of political agents, have a discretionary power vested in them of employing the military forces when the necessity of the case may demand such aid; but I cannot go to the extent of allowing that an individual could be justified in taking upon himself, without communication with the Supreme Government, to assemble the whole army, and march it against the most powerful fortress in India, and where we had unfortunately experienced a failure before. That was precisely the measure which Sir David Ochterlony contemplated. There is nothing for which the Bengal Government deserve to be applauded so much as for the able and prompt measures which they took to put a stop to the precipitate proceeding which that gallant officer contemplated. They acted a wise and prudent part with respect to the time at which hostile proceedings were resolved upon against Bhurtpoor. My own opinion is, that if Sir David Ochterlony had proceeded with an insufficient force against Bhurtpoor, even for the purposes of negotiation, he would not have succeeded in his object, or produced that panic in the mind of the usurper which would have led to his resignation. The measures which the Supreme Government adopted, however, led to the

sive answers of their Chairman, and by their equally evasive silence, as to this part of the question, are themselves guilty of imposing on the world impressions unfounded in truth. Upon either the one or the other of these horns of a dilemma, they must be fixed.

(21) There is no difficulty whatever (and this the Chairman knows) in carrying any thing in the Court which the Directors propose. A few days may be wasted in long speeches, but when it comes to the vote, the result is as certain as any event that can be named.

most successful result. Nothing can tend so essentially to establish our power in India as the capture of Bhurtpoor, for it will satisfy the Natives of the erroneousness of the received opinion among them respecting that place, and convince them that neither that nor any other fortress they can raise will prove an effective rampart against the British power. Now, with respect to the time at which the expedition proceeded against Bhurtpoor. Had it proceeded at the time proposed by Sir David Ochterlony, besides the chance of failure from the smallness of the force, the season of the year could hardly have failed to produce incalculable sickness and death amongst the European troops. But it is said that the fortress might have been taken by surprise. When it is recollected that with an augmented force, aided by the skill and ingenuity of the most able engineers, six weeks were exhausted in endeavouring to get possession of the place, I ask, is it probable that we could have taken it by a *coup-de-main*? If ever there was an opinion less founded in probability than another it was that of Sir David Ochterlony respecting the taking of Bhurtpoor by surprise. I put it to the Proprietors present, and more particularly to those acquainted with the disposition of the Natives, to consider what would have been the consequences of a failure—and a second failure too—before Bhurtpoor? I venture to say that the event would have been followed by an insurrection throughout the whole of that part of the country, and I defy any man to say that this might not have ended in the downfall of the British power in India. Under these circumstances, (as the hon. Baronet has called upon us to express our opinions,) I feel myself conscientiously bound to concur in the vote of thanks proposed to Lord Amherst and the Government in India, in the perfect conviction that in so doing I best discharge my duty to the Company. (*Hear, hear.*)

Col. L. STANHOPE.—I beg leave to offer a few observations upon the question before the Court. The gallant General (Thornton) stated that humanity required the undertaking of the Burmese war. Such humanity would lead to the extinction of the human race. The hon. Director (Mr. Mills) who spoke some time back, braved the hon. Member for Aberbeem, by telling him to stay and see the result of this discussion. Let that hon. Director and his colleagues exchange patronage with my hon. Friend, and then see what the result would be. The hon. Director accused those who disapprove of Lord Amherst's conduct of being actuated by malignant feelings. I disclaim such an imputation. I believe there does not exist a more excellent and virtuous man in private life than Lord Amherst. The hon. Bart. (Sir C. Forbes) disapproves of the dismantling of Bhurtpoor. I cannot agree with him upon that point. I think the dismantling of Bhurtpoor was a good military measure. The Chairman has stated that it was impossible to take Bhurtpoor by surprise. That I believe; but it should be recollected, that when Sir D. Ochterlony wished to advance against the place, it contained two parties, one of which would certainly have sided with us; and the consequence, in all probability, would have been the putting us in possession of the fortress. It is not surprising that Lord Amherst should be thanked by this Court, when we recollect that the thanks of the House of Commons were obtained for the Walcheren expedition, and that, as history relates, some of the greatest monsters that ever existed, have been praised, honoured, and deified by the Roman Senate and people. My decided opinion is, (and I think the historian will agree with me,) that Lord Amherst, so far from deserving thanks on account of the Burmese war, deserved impeachment; and that for his delay with respect to Bhurtpoor, he merited the most marked censure.

At the time that all the states of India had been instigated to arms by the dilatory proceedings of Lord Amherst against Bhurtpoor, Sir David Ochterlony was prepared to act in a manner which would have become the Duke of Wellington, or any other general of bravery and capacity. He was ready to march forward, and instantly to assert the title of the deceased Rajah's rightful heir by an engagement with the enemy. (*Hear, hear.*) Yet of this discreet and decisive measure, worthy of a skilful General, my Lord Amherst had not hesitated to express his disapprobation, as of conduct which was rash and

precipitate. Rash and precipitate! Such were the words applied to the measures of an excellent Officer, of consummate skill and veteran experience in India, epithets which I do not scruple to assert as too harsh to designate the conduct of a boy of seven years of age. Yet neither the grey hairs nor the distinguished services of Sir David Ochterlony were sufficient to shield him from such contemptuous and contumelious language. (*Hear, hear.*) I am convinced that this Court is composed of gentlemen of honour, whose motto is, "*De mortuis nil nisi bonum.*" I therefore fearlessly appeal to the members of this Court, so constituted, not to pass a vote of inferential censure on the dead, on the present occasion, by their approbation of the conduct of that Nobleman, who had aspersed the actions of Sir David Ochterlony, by denominating them "rash and precipitate." I cannot conceive what pretence the advocates of his Lordship can urge for objecting to the attack of Sir David on Bhurtpoor, in consequence of his insufficiency of force, when Lord Amherst's own despatches attest that the troops in that service were fully adequate for the purpose. Good God! Can any man for a moment doubt that 10,000 men composed a force more than abundantly competent to the attack on Bhurtpoor? The fact is, that a greater number of men than were then placed under the command of Sir David Ochterlony could not be rendered of additional service for the objects contemplated in his advance on that fortress. I have been informed with important gravity, that Lord Amherst had, according to precedent, lately taken his seat at the Council for the purpose of hearing the best advice respecting the mode of preparing for, and proceeding with the war. I have also learned that precedent is superior to grammar, and it is, therefore, contended that a resolution not of English structure, but framed in accordance with the slang of official jargon was duly adopted. But, I would ask, whether Lord Amherst, whose pretensions might be judged of from his unsuccessful diplomacy with the Burmese, from the establishment of the censorship of the press in India, (a measure which alone subjected him to universal opprobrium,) I would ask, whether a person with such title to respect, was competent to determine himself on the proper mode of proceeding at Bhurtpoor, or could he be supposed more qualified for that office by the suggestion of the saintly Mr. Harrington, bearing his Bible, his beads, and his Koran, and by the additional assistance of the shrewd and sagacious Mr. Fendall, with whose name, pen, ink, and paper, only could be associated? Were men of that stamp to be deemed capable of instructing Lord Amherst, at a distance of 1000 miles from the scene of action, in the proper mode of conducting operations, while no credit for devising and pursuing the best plan of operations was to be afforded to Sir David Ochterlony, whose name had been celebrated for his skill in negotiation, for his glorious defence of Delhi, and his exploits in the Pindarree wars? (*Hear, hear.*)

In my opinion, our time would be much better employed in erecting monuments for those brave men, who perished in the swamps of Arracan and Rangoon. We should be more meritoriously occupied in mourning for their loss, than in wasting our time, considering proposals of undeserved praise in compliment of Lord Amherst. Whatever reasons might be assigned to render proposals of this laudatory and gratulatory nature plausible and palatable, I am certain that the praise which has been lavished on Lord Amherst, has neither been the offspring of the hearts nor countenanced by the understandings of those who indulged in such a strain. I am also convinced that the passing of a vote of thanks to Lord Amherst would not be received with satisfaction in India. It would not be gratifying to the Civil Department, and I am positive that such a proceeding would excite the disgust, both of his Majesty's troops and of the Indian army, between whom I can assure this Court, there exists none of that nonsensical rivalry which has been alleged. Least of all, however, would such a vote be palatable to our ill-treated Native troops. When I view the circumstances of the case, in all its bearings, I cannot avoid expressing an opinion, that a vote of censure is more applicable in the present instance, and should be adopted in preference to a resolution of thanks.

Captain MAXFIELD —When I consider the turn which this debate has already taken, I should feel ashamed to sit in silence and to neglect that opportunity of addressing you, which the courtesy of this meeting allows. I have pledged myself, wheaever the conduct of Lord Amherst should be again introduced to your notice, to raise my voice in a feeble but earnest attempt to afford justice to his merits, and to relieve his acts from that obloquy with which they had been assailed. The discussion had reverted to a consideration of the Burmese war; and therefore I conceive myself called upon to offer a few observations. I am conscious that no Member of this Court can charge me with ever having pinned my faith to the sleeve of another, in any matter of argument or discussion, unless with the accompaniment of a full and unqualified conviction of its correctness. I am aware that, at its commencement, the Burmese war was unpopular, in some respect, in this Court and also in India, but justice requires that we should make a distinction in the case; for the commencement of that war cannot be fairly attributed to Lord Amherst himself. Hostilities were determined on by the advice of the Council. If the origin of the war was not to be ascribed to such a source, I should feel myself justified and bound to condemn Lord Amherst for declaring it. But I think it is not a matter of difficulty to prove that Lord Amherst had no option, but was compelled to undertake warlike measures. The commerce of India was at a very low ebb, and of course those whose interests lay in that department were inclined to war: by the same reasons, those concerned in the shipping prosperity were favourable to it. There was an abundance of money in the Company's Treasury, and that of the public was lent at so low a rate of interest, that people who depended on its produce, in that respect, wished for war, as likely to afford it a help. No objection was entertained to a campaign by the Civil Servants of the Company; and it might be said that war was almost proclaimed before the arrival of Lord Amherst as Governor-General in India. If his Lordship had not in his passage out regularly perused all the papers connected with the passing events, he could not on his arrival, with any discretion, reply to the advice of the Council in such words as these:—"You are all under the influence of erroneous opinions, and I am determined on war." As Lord Amherst had not the facility of acquiring such information as would justify him in the adoption of this language, I cannot perceive any fair grounds of censuring his compliance, when the general declaration of those persons, possessed of information from their residence and situation, pointed to war. It was natural that the soldiery should be also favourable to such sentiments, with which the practice of their profession was connected and identified. As war in India was generally succeeded by the acquisition of territory, the Company's Civil Servants were not averse to its adoption, as an extension of territory introduced new appointments and promotions; thus a person who in peace had been only an Assistant Resident might, at the termination of successful warfare, become the Resident of a newly-gained district.

Perhaps, of all the departments connected with India, none was more qualified to give an opinion and less interested, than the marine, on the subject of war in that country. I remember that in the year 1813, on a cause of war having occurred, a single vessel of only twenty guns was sent under the Company's colours, to request explanation. So badly appointed, however, was that ship, that if attacked, it must have struck without opposition, and its capture would have necessarily involved the Company in disgrace. So apprehensive, however, were the Burmese that their towns would be burned and that their possessions would be devastated, that they were induced, immediately on the arrival of this one ship, to propose terms of accommodation, whereby war was avoided. I am aware it may be asserted, that a sufficiently strong naval force should have been sent to Rangoon for the purpose of chastisement, but there was no naval power adequate to such an object, nor would there, unless it was furnished by Government. I am decidedly of opinion that, in the first instance, the war was necessary, and that thanks are therefore due to those persons who advised Lord Amherst to such a course.

The war then being a matter of utility and necessity, I am further convinced that Lord Amherst is entitled to approbation and thanks, for the skilful manner in which he has prosecuted it, and for the successful issue to which, under his auspices, it had arrived. My opinion unquestionably is, that the war should not have been declared, if circumstances rendered it safe and honourable to avoid a recurrence to such a proceeding; but, as I have already observed, it was impossible to prevent that course. On that point Lord Amherst was not, nor could he be, the subject of either praise or blame. It was stated as a charge against Lord Amherst, that he had entered on the campaign at an unseasonable period. Now I entertain opposite sentiments, and think that if the war should have been commenced in that quarter, the most eligible time for proceeding was at the beginning of the monsoons, when they might calculate on the prevalence of those winds which were desirable to the flat vessels used in the operations. Thus much I have thought it necessary to say, with respect to the commencement and progress of the Burmese war.

I shall now advert to the attack on Bhurtpoor, a measure about the propriety of which there exists no difference of opinion, the only question being as to the time at which it took place. This was deemed by some to have been too late, but it should be recollected that there was a great deal of other business on hand at that period, and that it did not become us to act with precipitation on a measure of such importance. I would also beg leave to remind those Members who lay so much stress on this want of expedition, that in the year 1804, as well disciplined and gallant an army as we ever had in India, was three or four times repulsed in its assault upon that fortress. Lord Amherst judiciously availed himself of the experience derived from that discomfiture, and, as I think, wisely resolved to terminate one war, before he rushed into another. Lord Amherst would, indeed, have been inexcusable, if he had not derived benefit from the salutary lessons furnished in the defeat of the gallant General Lake. On that account, he was bound not to rush precipitately to an attack upon such a remarkably strong fortress as Bhurtpoor, lest he might sustain a similar failure. (*Hear, hear, hear*.) I certainly do not yield in regret to the friends of Sir David Ochterlony, for the loss which the country sustained, and I am far from concurring in any censure, direct or indirect, upon the memory of that gallant officer. Nothing of the kind, I am convinced, was ever contemplated, although Sir David Ochterlony commanded the troops, yet the responsibility would be ultimately referable to Lord Amherst if any discomfiture occurred. It was, therefore, the bounden duty of Sir David to ponder seriously before he ventured on an experiment which involved such dangerous consequences to his superior. The necessity of defeating the proceeding at Bhurtpoor, was also a matter of obvious necessity, and it was requisite to possess the means of ensuring success. No military man was better able to advise Lord Amherst on the proper plan for conducting the operations than Sir Charles Metcalfe. When it is considered, therefore, that the letter of that gallant officer in 1815, strenuously recommended to try negotiation before the adoption of force, I cannot see why Lord Amherst was not justified in acting accordingly. On the contrary, to have pursued a different course, would have exhibited a degree of inexcusable obstinacy. There seemed to be no doubt that the necessity for war was imperative, and Lord Amherst has been blamed, not for having adopted military movements, but because he delayed, and did not proceed with temerity. In my opinion, Lord Amherst would have been obnoxious to censure, if after the experience derived in the Burmese war, he had rushed incautiously and inconsiderately to an attack upon Bhurtpoor. I feel not the least hesitation in asserting, because I am convinced that his Lordship was induced on both occasions by the most correct and honourable feeling, to proceed to war, and under this impression, I cannot withhold my most cordial support to an unqualified motion of thanks in this Court.

Sir JOHN SEWELL.—I have heard much applause bestowed upon Lord Amherst for delaying his attack to September, instead of having proceeded in the preceding April. The first consideration for the Court was, whether

this was a just and necessary war. On that presumption, we must proceed, as otherwise, no matter how successfully it might have been terminated, the prosperity of its conclusion could not sanction the injustice of its commencement, and Lord Amherst would consequently be entitled to no thanks. Let it be supposed, that the war was justified in the double respect of justice and necessity, we shall now come to inquire what reason existed for acting in September, which was not applicable to the month of April in the same year? It has, indeed, been asserted, that April was a most unfavourable season for the commencement of hostilities, but as it had been proved that the season was not the ground of delay, we must search for the cause of postponement in some other quarter. We need not go further than the correspondence of Lord Amherst himself, to pronounce that this procrastination was not the result of an improper season, but was caused by the indecision of his Lordship, as to the propriety of interfering concerning the succession of the late Rajah, or with the internal affairs of Bhutpoor.* In respect to the allegation that the offence which engendered the war, occurred before the arrival of Lord Amherst in India, I think it will not be irrelevant to consider how that is borne out. We know very well that Lord Amherst reached India in 1823, and the original cause to which the war might be traced, was subsequent, and did not exist till the spring of 1825. It will be thus apparent, that if his Lordship did not acquaint himself with the different lines of policy which governed the territories around him, and with all the facts necessary to render them intelligible, want of time cannot be pleaded in excuse of such ignorance. For my part, I shall not pretend to determine whether his Lordship had diligently attended to such subjects, but I am sure that any person who was candidate for the Governor-Generalship of India, must have been a very inadequate person to perform the functions of that situation, if he neglected, or was not qualified by reading and study, to acquire an accurate knowledge of the history of that country, its policy, alliances, and resources, and also of the correspondent connections and politics of the different states in our vicinity, I insist that the individual who had not directed his intellectual pursuits to such objects of information, and who had not become thereby familiar with these matters, was altogether inefficient for the important duties of Governor-General of India.

I will now state to the Court, the leading circumstances connected with the succession of the young Rajah, and the causes which should have urged the British Government to have been active in his support. (Here, the learned Gentleman detailed the circumstances, with which our Readers are already acquainted.) He then proceeded:—Sir, under those circumstances, I contend, that it was the duty of Lord Amherst to have taken, at the very commencement of the late usurpation, the most effectual steps to put it down. Had he done so, before the usurper had time to increase his influence, there is little doubt but the Company would have been spared the labour and expense of taking Bhutpoor by storm, as they were at length obliged to do. For these reasons, though I will not go so far as to say, that we ought to pass a vote of censure on his Lordship, as that might be injurious to our interests in India, still I do not think, that we would be at all justified in assenting to a vote of thanks. Besides, we have *not* been allowed time to make ourselves acquainted with all the information which the papers before the Court afford on this subject. On all these considerations, I will oppose the motion.

Sir JOHN MALCOLM.—Sir, I cannot permit myself to remain silent, when a motion is agitated, with the matters relative to which I have been so closely connected. I shall therefore, take occasion to deliver some observations upon the subject of our discussion, at the same time, it is not my intention to examine minutely all the details involved in the matter under consideration. Such an extensive course, it is the less necessary for me to enter upon, as the facts to which I am disposed to direct your attention, are of recent occurrence, and familiar to most whom I have the satisfaction of addressing. Let it be recollected, that the brave and able General Lake had been discomfited at Bhut-

poor in 1804-5, as has been already adverted to. (*Hear, hear.*) I need not particularize to this Court, the exploits of that celebrated officer at Delhi, and other places. (*Hear, hear.*) When the memory of those deeds was still fresh in your mind, I do not conceive it requisite to impress upon you a tedious detail of the failure which attended that skilful and gallant officer's enterprise to capture Bhurtpoor, with an army totally insufficient for the purpose. The injurious consequences were soon obvious, in the feelings of animosity which developed themselves in the Hindoo states, of which some, bound to us by treaties, immediately disregarded the alliance, evinced their treachery, and incited their troops on the first favourable opportunity to attack the British soldiers. It was equally true in military, as in other matters, that however, we may deserve, we cannot always command success, and I defy any person to adduce an instance, in which less failure occurred, considering all the circumstances, than in that war, conducted by Lord Lake. Yet such was the sensation excited throughout India by the disaster which attended his Lordship's operations before Bhurtpoor, that it pervaded the country in every direction, and even to the very time of my departure, its influence was still prevalent in the minds of the Native.

With a knowledge of the effect, which that proceeding produced, was it not to be supposed, that its impression would attach to all actions subsequent to it? Should not the experience of the mischief it had created, be sufficient to instil the necessity of prudence and discretion in the mind of every man, who had aspired to, and succeeded in obtaining the elevated and important situation of Governor-General in India? I feel totally at a loss to conceive, and must therefore deny that the vote of thanks, casts directly, or by implication, the slightest obloquy, or the least tarnish, on the memory of my brave and valued friend Sir David Ochterlony. I have had the happiness of enjoying the friendship of that gallant officer; for more than three and twenty years we have been most intimate; and during the time of that intercourse, I possessed ample opportunities of appreciating those admirable qualities of head and heart, which not only endeared him to me, but entitled him to the highest meed of praise which this Court can bestow. (*Hear, hear.*)

It was well known that military men in India, though subservient in the main, to the line of operations directed by the Governor-General, yet frequently meet with unforeseen circumstances, which render it indispensable to exercise their own discretion, and trust to the result for the approbation of the superior authority. I feel perfectly convinced that very satisfactory reasons for accelerating the attack upon Bhurtpoor, suggested themselves to my late gallant friend, Sir David Ochterlony. The truth was, that the gallant General, in order to avoid the rainy season, was compelled to run a race against time, consequently he was anxious to proceed to the attack in April, and indulged the expectation, by prompt seizure of the fortress, of practically proving to the Native powers, the impossibility of shaking or even opposing with any hope of success the British power in India. Can it therefore be a matter of surprise, that my gallant Friend, wishing thus to impress the strongest idea of the stability of our resources, was anxious to commence the attack without delay. It did not, however, stigmatize that ardour, to consider that the Governor-General taking a wider field of observation, of which Bhurtpoor formed but a part, and under the weight of the serious responsibility, should weigh the advice, and the information received from all quarters, and not sacrifice the whole by limiting his regard to the proceedings at Bhurtpoor. Under this view, which was not applicable to the subordinate situation of Sir David Ochterlony, the Governor-General deemed it prudent to defer the attack, but the delay did not cast or imply any censure upon Sir David Ochterlony. There was no ground for such supposition; my gallant Friend, no doubt looking only to his own situation, was anxious to urge the attack, with a promptitude suited to his situation, and was therefore disappointed, by a delay which the general plan of the campaign rendered necessary in the eyes of Lord Amherst. But I deny that any stigma or insinuation of misconduct was thereby imputable to the memory of my gallant

and estimable Friend. Was it a subject of disgrace on a military man, who had passed his life in arms, to the age of sixty-eight, to be charged with an earnestness and precipitate courage, because he evinced an anxiety to conduct his troops without delay to a vigorous and hazardous achievement? If that be the cause of censure or obloquy, I should be perfectly satisfied to have no other epitaph on my tomb, than that at a similar age I had merited the same degree of obloquy. (*Hear, hear.*) I do not mean to inquire at the present moment, whether Bhurtpoor could have been taken by a force less or greater, than that which was under the command of Sir David Ochterlony, but I do not hesitate to assert that the greatest misconduct of which a Governor-General could be guilty, (because no error was pregnant with more danger,) was to direct an attack upon Bhurtpoor without the nicest previous calculation, amounting almost to certainty, that the attempt must be successful. Without such a moral assurance, so daring an experiment would be a measure of the most reprehensible impolicy. (*Hear, hear.*) I shall leave this Court to estimate the importance which is annexed in my mind to that fortress, when I express thus publicly my thanks to God for its capture, and when I declare, that in my opinion, no event has recently occurred better adapted to secure the peace and stability of our possessions in India. (*Hear, hear.*) Under the influence of such feelings, without entering into any additional particulars, and believing that the learned Doctor, and those gentlemen who concur in his opinion, have adduced no fact or argument calculated to weaken the sentiments to which I have given utterance, I shall give my unqualified vote of approbation and thanks, to the Noble Lord, who by the excellence of his plans, and the correspondent execution of his measures, has gloriously succeeded in acquiring possession of that important fortress. (*Hear, hear.*)

Mr. TRANT.—I am anxious to say a few words in reply to some statements, which have been addressed to the court at an early period of this discussion, by an Honourable Director (Mr. Mills). That gentleman had intreated those members of this court, who had voted on the former occasion against the vote of thanks to Lord Amherst, to come forward now, and make the *amende honourable*. I have at a former sitting of this court, delivered my sentiments, which were unquestionably, not in favour of Lord Amherst's commencement, and continuance of the Burmese War. I was induced to do so, because from all the information which I could collect on the subject, the tendency of that war was not likely to promote any beneficial results. When I last attended this court, I remained to a very late hour, waiting anxiously to learn whether any convincing reason could be assigned for the adoption of warlike measures in India. My object was not to injure any man, and I did not fear, nor was I ashamed, either to assert my opinions in the first instance, nor did I feel the slightest reluctance in retracing them if they were proved to be wrong. I admit that on a former occasion I asserted, that India was in a situation which would give no gratification to any man, who felt for her prosperity. I was not then ashamed to avow that the declaration of my sentiments would accord with a conscientious adherence to truth: and I am now, not less disposed than I then was, to acknowledge that my vote would follow the opinion, which increased information on the subject of Lord Amherst's conduct, would make it my duty to express. When the motion of thanks to Lord Amherst was proposed at the last court, I abstained from voting on either, the affirmative or negative side, as I found it impossible to examine the documentary papers with such attention, and accuracy as would enable me to acquire a sufficient, and correct understanding of the matters, on which the proposition rested. I was more particularly inclined to the adoption of neutrality, as I perceived, that there existed within the bar itself, a difference of opinion on that resolution, which made its propriety questionable. Had it not been for the suspicion, which that disunion produced, the balance would probably have inclined in Lord Amherst's favour.

In the interval which has elapsed between the sitting of that Court, and the present resumption of the business, I have sedulously perused as many of

the papers as the time permitted, and I can assure the Gentlemen now listening, that I have read in that period, every syllable of three volumes out of the thirteen ponderous folios, which comprise all the information submitted on this subject. I do not wish to trouble the Court, by particularising all the additional points of information which I thus derived, and which have settled my opinion. I consider it sufficient to state as the result, that the vote of thanks to Lord Amherst, was dictated by correct, rational, and just principles. If some of the observations advanced at the opening of the debate, by the hon. Member for Aberdeen, were founded in fact, I should have decidedly concurred in the conclusion at which that hon. Gentleman arrived. He had informed us, that contrary to the advice of the Council, Lord Amherst had opposed the recommendation of Sir David Ochterlony, who suggested the propriety of an immediate attack upon Bhurtpoor. When this statement was made, it appeared to me, that the conduct of Lord Amherst, was not exactly such as had been described in this instance. But apprehensive of an error of memory, I retired into the adjoining room, and thence returned with the opinions which had been given by Mr. Harrington, Mr. Fendall, and Sir Charles Metcalfe. These gentlemen, in concert with his Lordship, declared that they had not finally decided, and that they would be regulated very much by the inquiries which were then in progress by Sir David Ochterlony. This despatch was signed by Lord Amherst, Sir E. Paget, and Sir Charles Metcalfe, and sufficiently proved that no difference existed between Lord Amherst and his Council. I have lately conversed with an officer a short time returned from India, and have heard him assert, that there was not a man who could have been spared from the force occupied in the taking of Bhurtpoor; and Sir Charles Metcalfe had evinced his anxiety upon this point very strongly, as he had been heard to say, that he would gladly purchase possession of the place by the loss of his right arm. (*Hear, hear.*) When I consider all these circumstances, I must unquestionably support the resolution, and I am convinced that if other Members of the Court would read over the papers with as much attention as I have devoted to their perusal, they would form the very same conclusion. (*Hear, hear.*)

Mr. TWINE.—At the present late hour, when the Court must be fatigued by the length of sitting, as well as by attention to the arguments which have been presented to their view, I should be sorry to increase that state of exhaustion; I shall therefore, occupy only a few minutes, and even that brief period I should not have trespassed, but I feel anxious not to give a silent vote upon so important a subject as is now agitated. It very rarely occurred that the Court was called to decide upon two such momentous questions as those that have lately come to our tribunal. A vote of thanks to the Governor-General of India, for the successful issue of the Burmese war, had recently been assented to. If the question before us were to determine who was the most eligible person to occupy the situation of Governor-General of India; neither Lord Amherst nor any other individual, however high his pretensions and qualifications, could expect an unanimous vote in his favour, more particularly, when we reflect on the brilliant services of Governors-General, who have ornamented that Government during late years. That question, however, it is not our province to solve. The subject which we have met to discuss, is Lord Amherst's conduct, and to that alone we should confine ourselves. The Burmese war arose soon after Lord Amherst's arrival in India, and then the accusation was, that his Lordship had been too precipitate. The war, however, was happily terminated.

In the attack upon Bhurtpoor, his Lordship was obnoxious in the opinion of the same persons, who before blamed him, to the opposite charge of dilatoriness. It was, however, proved by the events, that in both cases his Lordship's conduct had been dictated by the greatest discretion and sagacity, for both were gloriously concluded. (*Hear, hear.*) When I reflect on the very delicate and critical situation of a Governor-General of India; when I consider, that though surrounded and assisted by an experienced Council, he must still direct his eye to the Parent Country, for approbation of his mea-

asures, and frequently for instruction; I do not at all wonder that he should deliberate on every act with a most scrupulous attention. This question in the arguments which have been adduced, has, I am convinced, been treated according to the sentiments by which the different speakers were conscientiously influenced. It would, therefore, ill become me to contest opinions thus honestly and honourably entertained. As the case of the late Sir David Ochterlony, has been introduced to our notice, I shall briefly animadvert upon its attendant circumstances. The Court, I am convinced, is unanimous in the full credit which the merits and services of that brave and lamented officer, are so much entitled to claim. (*Hear, hear.*) It was a subject of regret that the departing hours so heroically distinguished, should have been clouded by chagrin and discontent. (*Hear, hear.*) It must, however, be a gratifying circumstance to know, that as no one dared to stigmatise or assail his character while he lived, so his memory after death, is equally untarnished by imputation. (*Hear, hear.*) Having thus adverted to that subject, I am desirous to observe, that it should not be forgotten, that however great and respectable the character of any military commander in India, yet the Governor-General was imperatively bound by the responsibility attaching to his office, to consider maturely before he embarked upon such serious and important enterprises as those which had engaged Lord Amherst's attention. As to the victory at Bhurtpoor, we were greatly indebted for it to the personal exertions of Lord Combermere. I am perfectly aware of the difficulty of obtaining unanimity upon such occasions as the present; but it is painful to reflect what the ill effects would be in India, if censure were imputed in this Court against the noble Lord, whose conduct it had been proposed, by the Resolutions submitted to us, to approve. I have not the honour of his Lordship's personal acquaintance; but I know enough of his private life to assert, that it is distinguished by the most estimable and laudible qualities, and that he is a man who feels most intensely the least attack affecting his honour, to whom, therefore, the words of the poet were exactly applicable:

"Honour, 'tis a derivative from me to mine,
And that alone I plead for."

MR. PATTISON.—The hon Baronet outside the Bar (Sir Charles Forbes) has called upon the Directors to prepare an answer in justification of the course they have pursued upon the subject of the Burmese war. I can assure that hon. Baronet, that I have voted with integrity in approbation of Lord Amherst's conduct on that occasion; and I am doubly induced by equally conscientious motives to a similar vote for his Lordship's participation in the attack on Bhurtpoor, the capture of which I deem to be of paramount importance to the interests of the Company. (*Hear, hear.*) I must confess, that I have experienced considerable amusement from the long speech delivered here to-day by the hon. Member for Aberdeen, through the course of which, the monosyllable "*if*," abundantly predominated, every assertion introduced by that hon. Gentleman was duly qualified by the small but significant preposition "*if*." No doubt could be entertained, that we might live on amicable terms with the Native powers in India, and avoid all necessity for hostilities "*if*" we were only allowed to do as we pleased. I would, however, suggest to that hon. Gentleman the propriety of dwelling for a few moments, on the observation which had fallen from the gallant officer, (Sir John Malcolm,) explanatory of the strength and importance of Bhurtpoor. It would have been an extremely injudicious measure to assault that fort which was considered impregnable with trifling forces. It was, therefore, the duty of Lord Amherst to deliberate most seriously upon the proper course to be pursued; and I consider it a satisfactory proof of his Lordship's military talents, that though engaged in a war with Ava, he had resolved that the fortress of Bhurtpoor should be regularly invested in preference to an immediate attack. By this decision, his Lordship has shown, that his courage was characterized by the qualities of the lion. I have heard a Gentleman, when speaking of Lord Amherst, assert, that his Lordship had never evinced any symptoms of a tyrannical disposition, and that he had never known a man of more mild

and amiable manners. I therefore think myself justified in stating, that the ferocity of the tiger does not appertain to the noble Lord; but that he possesses a much superior feeling—the calm courage and generous affection of the British Lion. That Nobleman could not endure the sight of the legitimate heirs of the deceased Rajah attacked and almost deprived of their throne without interposing his protecting hand. (22) In contributing this assistance, however, he was accused of having proceeded by too tardy steps; but I would ask, why was he slow in this interference? The reason was, that it was a measure which required mature consideration. It was a property of real courage not to advance precipitately into danger; but to determine coolly and rationally what the circumstances required; and having thus resolved on the course most proper for adoption, to proceed in an open and manly manner, but at the same time not to lose sight of prudence and circumspection. Had Lord Amherst sanctioned Sir David Ochterlony in an immediate attack upon Bhurtpoor, the result of which should be failure, I would then borrow one of the hon. Gentleman's "if's," and ask *if* such had been the case, what would have been the injury and loss thereby sustained throughout the Government of India? "*If*" such a disastrous issue resulted, the whole resources of the British Empire would have been required to restore peace and harmony to our Indian possessions. (*Hear, hear.*)

Instead, however, of this deplorable event with its calamitous train of consequences, the providence of Lord Amherst had happily regulated the destinies of India by subjugating our most implacable and powerful enemies, and obliging them to afford satisfaction for the past, and to give security for the future. It was in no trifling degree creditable to the prowess and prudence of Lord Amherst, that he captured a fortress against which the most vigorous efforts of the gallant and enterprising General Lake had been directed in vain. (*Hear, hear.*) When I consider that such important services have been rendered by Lord Amherst, I must conceive it astonishing how any hon. Proprietor should rise in this Court to move a vote of censure against his Lordship. I am not so sanguine as to expect unanimity to prevail upon almost any proposition that might be offered to this Court; but with all the allowances for diversity of opinion, a vote of censure on Lord Amherst I was not prepared to calculate on from any quarter. I do not indulge in the hope that the hon. Proprietor by whom such vote of censure was proposed should turn round with a change of opinions, that indeed would be a turn about such as never had been heard of before. (*Hear, with a laugh.*) For what is this vote of censure to be passed on a nobleman of Lord Amherst's description? Was it because he obtained two decisive victories and captured a fortress deemed impregnable? (*Hear, hear.*) I shall not occupy the time of the Court by any more remarks, nor should I have trespassed at all did I not feel called upon to address a few observations in reply to the hon. Baronet (Sir Charles Forbes).

Dr. GILCHRIST rose to explain, amidst loud cries of *Spoke, spoke*. He said, I am anxious to offer a few words in answer to the statement of an hon. Director (Mr. Mills).

The CHAIRMAN.—The honourable Proprietor has distinctly disclaimed all personal allusions in his observations.

Dr. GILCHRIST.—I am entitled to defend my character from the aspersions of any hon. Director.

Mr. MILLS.—I have already disclaimed everything personal in my remarks.

The Amendment was then put to the vote and lost, three hands only being exhibited in its favour.

The original question was then carried by a very large majority.

(22) But he could destroy the rights and possessions of his own countrymen without protection, pity, or remorse.

On the motion of thanks to Lord Combermere—

Mr. HUME rose and said—As I was prevented by the forms of the Court from making some explanatory observations, I shall avail myself of this opportunity. I beg leave to state in reply to an alleged contradiction, that I now hold in my hand a minute with the signatures of Mr. Fendall, Mr. Harrison, and Sir Edward Paget, in which they protest against the measure. I shall read to the Court the note of the Governor-General, dated the 6th of August, which would show his Lordship's view of the matter. (Here the hon. Proprietor read an extract from Lord Amherst's letter to prove that his statement, as to his Lordship's opinion concerning our interference in the internal affairs of Bhurtpoor, was correct. And resumed as follows:—) Sir, I have not uttered my opinion on the subject, on the contrary, I feel myself bound to support the vote of censure moved by my hon. Friend. I did not pledge myself to submit any such vote, but I promised to support any hon. Proprietor by whom it might be brought forward. The hon. Director (Mr. Pattison) quite mistakes me in supposing that all my assertions turn upon an "If." That "If," by the way, he has taken from another place, where it was used upon an occasion equally meritorious as the present. Sir, I said before, and I now repeat, that I would take the opinion of Sir David Ochterlony as to the attack on Bhurtpoor against that of Lord Amherst, and I cannot but regret that such bombast and fulsome compliment had been heaped upon Lord Amherst for conduct, which, if properly visited, would have drawn on him the severest censure. Had this praise come from any other quarter than that of the hon. Director, (Mr. Pattison,) who is on every occasion open, straight-forward, and manly, I can assure him, I would have taken it as the severest censure in disguise. The hon. Director, in alluding to Lord Amherst, talked of lions and tigers, and of lion's hearts and lion's courage, and other phrases, which often occur in despatches from India, and are appellations used to individuals, not to point out their courageous qualities, but to declare their rank. Their application in this instance to Lord Amherst was, I conceive, quite preposterous, and had it been made by any other individual than the hon. Director, would have left me in great doubt of its sincerity. (*Hear, hear.*) With respect to the other hon. Director (Mr. Mills) I must say that the language he used in commenting on the observations which fell from me, can only be excused on the supposition that he was not in Court when I was speaking. Sir, I never said, and I appeal to the recollection of the Court, one word against the private character of Lord Amherst. However, I will not dwell further on that subject, the hon. Director having made all the apology that could be expected. I may, however, ask, whether any Member of this Court has a right to charge me with having made dismal prophecies, and with being displeased that they were not fulfilled. I never, Sir, made any prophecy, but if the hon. Member alludes to what I said of the Burmese war, I now repeat that that war has brought disgrace upon our arms, that it was pregnant with every mischief to our interests, that it occasioned a vast expense to the Company; and I, Sir, for one, would be most ready to make any sacrifice, and to withdraw almost on any terms from a contest so wantonly and unnecessarily entered into.

I am sorry, Sir, that the hon. Director (Mr. Pattison) has left the Court, as I have not yet done with his remarks. He stated, that the noble Lord (Amherst) had, before he commenced the Burman war, duly considered its consequences. Really, Sir, this appears to me sarcasm of the most pointed kind. One word more as to the remarks of another hon. Director, (Mr. Mills,) and I have done. I appeal to those around me, whether any thing that fell from me on this question deserved the terms of "unjust" and "ungenerous"? The hon. Director may use the epithet "unjust" to me, but my only injustice is, that I have the courage to deliver my opinion openly. But, Sir, I throw back the epithet upon the hon. Director himself; and, I contend, that it is wholly inapplicable to the conduct of any individual who boldly and fairly discusses the conduct of a public man. If a check of this kind is to be placed on the expression of our sentiments, it will be impossible ever to discuss the conduct of any servant of the Company. This, Sir, I hear, is the hon. Director's

maiden speech, and, perhaps, some allowance should be made for his inexperience; but, I trust, that when he again addresses the Court, he will refrain from imputing motives that were never entertained. I may differ from hon. Members, but it does not follow, that I would be justified in imputing to them motives by which they were not actuated. I must say, to use the hon. Director's own words, that it was neither "just" nor "generous" in him to make use of such epithets, as applying to any thing that fell from me. It would become all parties in proceeding to discussion, to act temperately and dispassionately; and, while each gave and received credit for the honesty of his opinions, they would not leave room for retorts, the only effect of which would be to disparage the respectability of this Court elsewhere. (*Hear, hear.*)

Whatever opinion I may entertain concerning the plan of the war and its conduct, I feel not the least hesitation in asserting, that thanks are eminently due to the officers and men for the spirit and alacrity which they displayed in its progress at a period of unequalled danger and critical emergency. (*Hear, hear.*) I hope, however, that they will receive something more substantial than barren thanks. The million sterling which we are to receive in compensation would be very properly distributed as a remuneration for the valour evinced by the troops. But even that sum would not sufficiently supply the losses which were sustained by the forces employed in that war. The members of the Court might form some idea of its extent, by the fact that seven and eight rupees was the price of a single fowl. I do not pretend to inform the Court of the numerous privations to which the military were subject during that period. It would, however, become the Company to consider how those sufferings might be best compensated, and the least which could be done for that purpose, was to divide that million of money amongst the troops by whose valour the war had been so fortunately concluded. While, however, I wish the Company to evince its gratitude, I do not think the proper mode would be to seize the property of the Sovereign in whose support we commenced hostilities. Such an act of spoliation would bring the greatest disgrace on the Company, and render them obnoxious throughout India. It would not be unfair to require of that Prince a proportion of the expense incurred; but, I hope, that the East India Company will never give occasion to be taunted with the meanness of rewarding their own troops by the confiscation of the property of their ally. I have to thank the Court for the indulgence and courtesy with which I have been listened to, and shall now conclude, by expressing my most hearty concurrence in the motion.

MR. MILLS, in explanation.—I have already, in the most unequivocal manner, declared that I had no intention to impute personal and unworthy motives, to any honourable Member. I wish, however, to repeat, in a qualified manner, an observation which I have already made. Lord Amherst had been charged with gross ignorance by the hon. Proprietor who last addressed the Court. As this accusation was made in the absence of the noble Lord, (who had therefore no opportunity of retorting the charge), (23) I considered such language both unjust and ungenerous. In giving vent, however, to such expressions, I do not think that I committed myself so much in point of personality, as the hon. Proprietor, (Mr. Hume,) from whose aspersions they had arisen.

DR. GILCHRIST.—I wish to make a few observations.

THE CHAIRMAN.—Does the hon. Proprietor mean to speak on the question before the Court?

(23) How often is this thread-bare fallacy of attacking the *absent*, to be repeated? All Governors of India *must* be absent from England while in power; and, if the rule of never commenting on the acts of the absent were observed, the conduct of no public man could be analysed, or remarked upon, except in his own office, or at his own table.

Dr. GILCHRIST (*amidst cries of spoke, and question*).—I am not to be intimidated by violence and uproar, from expressing my sentiments. Instead of attacking the character of Lord Amherst, I have, on all occasions, defended it. This will, most clearly appear from the fact, that I have done so in a book, intitled, 'The Tuitionary Pioneer,' (*laughter*), which work is now read in *all the colonies*; in that treatise considerable praise has been given to Lord Amherst for his efforts to diffuse knowledge and to spread improvement among the Natives. I would ask, whether such approbation conveyed any malignity?

The CHAIRMAN.—As the hon. Director (Mr. Mills) has disclaimed all personalities, I conceive that the hon. Proprietor, Dr. Gilchrist, is out of order in recurring to this subject.

Dr. GILCHRIST.—I have never deserved to be upbraided with the detestable feeling of malignity. I consider that a malignant person is like a snake, crawling about in the grass. (*Laughter*.) Am I a reptile in the grass? (*Laughter*.) Did any body ever see me crawl? (*Renewed laughter*.)

The resolution of thanks to Lord Combermere for the judgment and skill with which he planned, and personally conducted, the successful attack on Bhurtpoor—a fortress hitherto considered impregnable—in India, was then put and carried unanimously.

Colonel STANHOPE.—I must object to one phrase used in the last resolution, as it was never considered that Bhurtpoor was impregnable.

The CHAIRMAN.—The resolution has been carried, and it is now too late, and therefore irregular to object to the mode in which it is worded.

The next resolution was a vote of thanks to Major-Generals Sir Thomas Reynell and Jasper Nicholls.

Dr. GILCHRIST.—I confess it is a singular circumstance, that notwithstanding all the time which the inhabitants of Bhurtpoor had to prepare for their defence, the resistance was not greater. This, however, might be accounted for by the existence of an old prophecy, which operated in our favour, by disheartening the people of that fortress. It had been predicted that Bhurtpoor would never be taken until all the water in the ditch was swallowed up by an alligator. (*Loud laughter*.) The name of Lord Combermere was pronounced *Kaum-meer*, which, in their language, signifies alligator; and from this coincidence in sound, they considered that his Lordship's act of turning off the water, realised the prophecy. (*Laughter*.)

The resolution was then put and carried unanimously.

The next resolution was a vote of thanks to the Brigadier-Generals, Brigadiers, and other officers, for their gallant services in the war of Bhurtpoor.—It passed unanimously.

The fourth resolution—"That this Court does acknowledge, and highly approves of the steadiness, discipline, and valour displayed by the British and Native troops; and, that they were entitled to its thanks," was then put and carried unanimously.

On the question—that the Court do adjourn,

Sir CHARLES FORBES.—I hope that the next occasion which induces this Court to assemble, will be the consideration of the best mode of paying some public tribute of respect to the memory of that great and good man, recently deceased, the Marquis of Hastings. (*Hear, hear*.) I am sure that the Proprietors at large, would cheerfully receive and unanimously approve of a proposition to that effect, if introduced by the Court of Directors. (*Hear, hear*.) I trust, also, that I am not too sanguine in hoping that, before the lapse of another year, I shall behold a statue of that noble Marquis erected, as an acknowledgment by the Company of his great merits, and a monument of his eminent and most important services. (*Hear, hear*.) Adjourned

CIVIL AND MILITARY INTELLIGENCE.

CALCUTTA.

CIVIL APPOINTMENTS AND CHANGES.

Fort William, May 19, 1826.—Mr. J. S. Lashington, Second Assist. to be Resident at Hyderabad.—June 9. Capt. John Low, Political Agent at Jycpore; Capt. E. J. Johnson, Commissioner with Bajee Row; Mr. E. Maxwell, Second Judge of Provincial Courts of Appeal and Circuit of Div. of Moorshe-dabad; Mr. R. Morrieson, Third Judge of ditto ditto; Mr. R. Hunter, to be Senior Commissioner in Arracan; Mr. C. Paton, to be Junior Commissioner in Arracan; Capt. R. H. Phillips, 19th regt. N. I., to be Assist. to the Commissioners in Arracan.

MADRAS.

CIVIL APPOINTMENT.

June 10.—Mr. Assist.-Surg. J. Dalmahey, to be Assistant to the Assay-Master.

BOMBAY.

CIVIL AND ECCLESIASTICAL APPOINTMENTS.

Bombay Castle, June 9, 1826.—Mr. J. Warden, Sub-Secretary to Government in Territorial Department; Mr. L. R. Reid, Acting Secretary to Government in Territorial and Commercial Department; the Rev. A. Goode, confirmed as Junior Chaplain of Poonah; the Rev. R. Ward, to act as Sen. Chaplain of Poonah, until the return of Rev. T. Robinson.

BENGAL.

MEDICAL APPOINTMENTS.

Fort William, May 9, 1826.—Assist.-Surg. Mereer, directed to place himself under orders of Superintendent-Surg. of Cawnpore Division of Army.—10. Assist.-Surgs. Malcolm and Wymce, directed to do duty with 1st Gar. Battalion at Barrackpore.—May 12. Assistant-Surgeons to be Surgeons: A. Stratton, W. T. Webb, J. Watson, W. Darby, J. Smith, W. Leslie, F. Corbyn, N. Wallick, N. Maxwell, C. Hickman, T. Hayley, T. E. Baker, Josh. Manley, H. P. Saunders, J. G. Gerrard, Jos. Duncan, J. N. Rind, T. Stoddart, J. Wardell, and A. Gauden, from 5th May 1826.—Surg. A. Hal-hay, to be Presidency Surg. v. Muston; Assist.-Surg. Mat. Nisbet, posted to Dinagapore Local Bat.; and Assist.-Surg. Colvin, directed to return to his Civil Station at Azinghur.—19. Assist.-Surg. H. M. Tweddel, to have Med. Charge of Civil Station of Banpore, v. Waddell; Assist.-Surg. H. Beadon, to be 2d Assist. Gar. Surg. of Fort William; Mr. J. Bowring, admitted an Assist. Surgeon; Assist. Surg. Fender, to do duty with H. M.'s 67th regt.; Assist.-Surg. Duncan, to do duty with 47th regt.—22. Assist. Surg. Bowron, attached to Gen. Hospital until further orders.—29. Mr. J. T. Holgson, to be a Vet. Surg. on this Estab., and posted to Horse Artil. at Meerut; Messrs. C. Finch and J. T. Pearson, admitted as Assist.-Surgs.—30. Assist.-Surg. Bogle, directed to proceed to Cawnpore, and place himself under orders of Superintend. Surg.—June. 1. Surg. Govan to have charge of Artil. Detachment proceeding to Cawnpore under Maj. Rodber, and Assist.-Surgs. Fender and Lee, app. to do duty under him; Assist.-Surg. Greenwell, to do duty with 68th N. I.—2. Assist.-Surg. Nisbet, posted to 22d N. I.—3. Assist.-Surg. F. H. Brett, to have med. charge of 3d Local Corps of Hill Rangers at Boglepore.—Assist.-Surg. Maxwell, directed to place himself under orders of Superintend. Surg. at Berhampore; Assist.-Surg. Temple to do duty at Gen. Hospital; Assist.-Surgs. Finch and Pearson, to do duty with H. M.'s 47th regt.; Assist.-Surg. G. T. Urquhart, to be Surg., v. Barnes, ret., with rank from 5th May 1826, for augmentation.

June 8.—Surgeons appointed to Regiments: G. O. Jacob, to 2d N. I.; H. Moscrop to 3d do.; J. Patterson to 2d extra regt.; J. Marshall to 7th N. I.; W. Farquhar to 3d extra regt.; R. Primrose to 9th N. I.; P. Halket to 4th extra regt.; W. Mansell to 5th extra regt.; G. T. Urquhart, to 18th N. I.; Assist.-Surg. A. W. Steart, to Corps of Sappers and Miners.

May 8.—Assistant-Surgeons appointed to Duty: Worrall with H. M.'s 38th regt., v. Smith, reported sick; Brett and Greenwell with H. M.'s 47th regt.; Fender, Under Gar. Surg. of Fort William.

Appointments and Removals in Medical Staff: Surgs. J. Thomson, from 66th to 39th N. I.; P. Mathew, from 22d to 66th do.; J. Smith, from 6th extra to 42d N. I.; Assist.-Surg. Gray to Artill. at Agra; Assist.-Surg. Christie, to 3d Light Cav., Officiat. Assist.-Surg. Rennick to 2d Europ. Regt.

BOMBAY.

June 17, 1826.—Assist.-Sur. E. H. Edwards to be Assist.-Gar. Sur. at Surat.—19. Acting Assist.-Sur. Weatherhead transf. from charge of med. duties of H. C.'s cruiser *Antelope*, to that of H. C.'s cruiser *Clive*, and Assist.-Surg. from latter to former vessel; Assist.-Surg. Howison, in charge of Lunatic Asylum, placed at disposal of Med. Board, as a temp. arrangement, for mil. duties at Colabah, without prejudice to his present appointment.

MARINE APPOINTMENTS.

June 24.—Sen. Capt. J. Jeakes, to be Commodore, v. Manwaring dec.; date 18th June. Jun. Capt. D. Jones to be Sen. Capt. v. Jeakes prom. to Commodore; do. First Lieut. J. W. Guy to be Jun. Capt., v. Jones prom.; do. Second Lieut. J. Harrison to be a First Lieut., vice Guy prom.; do. Sen. Midsh. P. L. Howell to be a Second Lieut., v. Harrison, prom.; do.—30. Capt. Laurence to be Capt. of Magazin Dock; Lieut. Cogan to succeed Lieut. Wells as Marine Assist.-Gen. Paymaster.

PENANG.

CIVIL APPOINTMENTS.

May 1.—Mr. P. O. Carnegie to be Dep. Account. and Auditor; Capt. M. A. Bunbury to be Storekeeper and Commis. of Supplies; Mr. P. O. Carnegie to be Account.-Gen. to Court of Judicature.

EAST INDIA COMPANY'S ARMY.

BENGAL.

STAFF APPOINTMENTS.

Fort-William, May 12.—Brig.-Gen. A. Knox app. to Gen. Staff of Army, on allowance of a Major-Gen. v. Lieut.-Gen. Sir G. Martindell.—17. Brevet-Major Kelly, on half-pay H. M.'s service, and Aide-de-Camp to the Commander-in-Chief, to be Dep. Adj.-Gen. to force serving in Ava, v. Lieut.-Col. Tidy, H. M.'s 14th Foot; Lieut.-Col. Tidy, H. M.'s 14th Foot, to command Depôt at Chinsurah.—20. Ens. A. Ramsay to do duty with 7th N. I. at Berhampore; Ens. J. Drummond to do duty with 4th Ext. N. I. at Mirzapore.—23. Lieut. Stewart, 1st Europ. regt. to do duty with Rungpore Local Bat. in Assam; Major-Gen. Hunter, 41st N. I. to be Superintendent in Lower Provinces.—26. Col. J. W. Sleight, 11th Lt. Drags., to be a Brigadier on the Bengal. estab., v. Newry, prom. to rank of Major-Gen. by H. M.'s brevet; Lieut.-Col. Com. C. Fagan to command Rajpootana field force, with rank of Brigadier; on arrival of Brig. Fagan at Nussurabad, the Rajpootana and Mawar field forces to be considered distinct and separate commands.—June 2. Lieut. Talbot of Engineers, to be Assist. Executive in Burdwan district; Lieut. Princep of Engineers, to repair to Presidency, with the view of being employed on canal duties.

REGIMENTAL PROMOTIONS.

Cavalry.—Corn. G. Reid (1st) to be Lieut. from 16th Sept. 1825, in suc. to Capt. Lane, 7th L. C., transfer. to Pension Estab.; Corn. T. B. Studdy to

be Lieut. from 15th Nov. 1825, in suc. to Lieut. Hunter, 10th L. C., dec.

7th L. C.—Lieut. B. T. Phillips to be Adj., v. Angelo, who resigns that app.

1st Europ. Regt.—Ens. John Charlton (not arrived) to be Lieut. from 27th Jan. 1826, in suc. to Candy, died of wounds in action.

3d N. I.—Ens. W. C. Hicks to be Lieut. from 8th May 1826, in suc. to Tweedale dec.

5th N. I.—Capt. W. G. Mackenzie to be Maj.; Lieut. J. Jervis to be Capt. of a comp.; and Ens. R. M. Miles to be Lieut., from 25th April 1825, in suc. to Gerrard dec.

6th N. I.—Lieut. R. Wyllie to be Adj., v. Birkett, prom.; Lieut. J. Clarkson to be Interp. and Qu.-Mast., v. Stewart on furlough.

22d N. I.—Lieut. T. E. Sampson to be Interp. and Qu.-Mast., v. Oliphant, promoted; Lieut. W. Murray to be adj., v. Sampson.

23d N. I.—Lieut. J. Holmes to be Adj. v. Moule, who resigns that app.

31st N. I.—Lieut. J. S. H. Weston to be Capt. of a com.; and Ens. H. J. Guyon to be Lieut., from 18th Jan. 1826, in suc. to Brown killed in action.

44th N. I.—Lieut. J. Bartleman to be Interp. and Quart.-mast. v. Hughes, on furlough to Europe.

45th N. I.—Lieut. H. Basseley to be Adj. v. Williams, app. to Commissariat Department.

61st N. I.—Lieut. R. A. Macnaghten to be Capt. of a com., and Ens. J. Skinner to be Lieut., from 2d May 1826, in suc. to Tomlinson, dec.

62d N. I.—Lieut. H. G. Nash to be Interp. and Quart.-mast. v. Bellew, app. to Commissariat Department; Ens. A. Horne to be Lieut., from 6th Sept. 1825, in suc. to Bitten, resigned.

66th N. I.—Ens. G. Farmer to be Lieut., from 5th May 1826, in suc. to Hindson, dec.

REMOVALS AND POSTINGS.

May 6.—Lieut.-Col. Com. P. Byres from 50th to 2d N. I., at Keitah; Lieut.-Col. Com. P. Littlejohn from 2d to 50th N. I., at Allahabad; Lieut.-Col. W. Wilson (new prom.) to 57th N. I., at Dinapore; Lieut.-Col. T. Newton from 57th to 58th N. I., at Barrackpore; Lieut.-Col. W. Nott from 66th to 43d N. I., at Saugor; Lieut.-Col. F. A. Weston from 13d to 5th N. I., at Muttra; Lieut.-Col. T. Gough to 55th N. I., at Delhie.—12. *Regt. of Artillery*.—1st Lieuts., T. P. Ackers (on furlough) from 3d tr. 1st Brig. to 1st comp. 2d batt.; F. Brind (on furlough) from 1st comp. 2d batt. to 3d tr. 1st brig.; W. Anderson from 1st tr. 2d brig. to 3d tr. 1st brig. v. W. C. J. Lewin, from latter to former; J. Hotham from 3d tr. 3d brig. to 2d tr. 3d brig., v. C. Macmorine, from latter to former.—2d. Lieuts., F. Dashwood from 1st to 2d tr. 2d brig.; E. D. Todd from 4th comp. 3d bat. to 2d tr. 1st brig.; T. E. Sage from 3d comp. 3d bat. to 3d tr. 1st brig.; H. D. W. Cockburn from 20th comp. 6th bat. to 4th comp. 3d bat.; F. A. Miles from 2d comp. 2d bat. to 2d comp. 3d bat.; J. Trower from 2d comp. 5th bat. to 4th tr. 3d brig.; F. Gaitskell from 1st comp. 5th bat. to 2d comp. 4th bat.; G. R. Birch from 1st comp. 2d bat. to 1st tr. 2d brig.; E. Sunderland from 2d comp. 2d bat. to 1st comp. 2d bat.; E. P. Master from 19th comp. 6th bat. to 2d comp. 3d bat.; M. T. Colyear (new arrival) to 4th tr. 1st brig.; H. Sturrock (do.) to 15th comp. 6th bat.; G. F. C. Fitzgerald (do.) to 2d comp. 2d bat.; A. Hunfrays (do.) to 2d tr. 3d brig.; G. Larkins (do.) to 20th comp. 6th bat.; G. Mayo (do.) to 3d tr. 3d brig.—18. Lieuts. E. R. Spilsbury, of 5th, and A. Campbell, of 37th N. I., permitted to exchange corps.—20. Lieut. and Adj. Cooper of Burdwan Provin. Bat., and Lieut. and Adj. Vincent of Dacca Prov. Bat., allowed to exchange app.—22. Lieut. H. M. Lawrence to 2d comp. 4th bat., and Lieut. A. Campbell to 3d comp. 2d bat.—26. Lieut. D. Williams, Super. of the Army Commiss. to be Assist. Com. Gen., and Lieut. H. Clayton 4th Lt. Cav. to be Super. Sub-Assist. Com. Gen. of ditto, in suc. to Tweedale, dec.; 29. Ens. C. Scott and F. Beck, to do duty with 57th N. I. June 1.—Lieut. Col. Com. P. Byres from 2d to 20th N. I., and Lieut. Col. Com. W. G. Maxwell, from latter to former.—Lieut. Col. Hampton from 69th to 40th N. I.,

and Lieut. Col. Murray from latter to former. Lieut. Col. Short from 5th extra to 2d N. I., and Lieut. Col. E. Simons from latter to former. Lieut. Col. S. Fraser posted to 31st, and Lieut. Col. Sackville (lately prom.) to 41st N. I.

Cornets and Ensigns appointed to do duty.—Cornets N. M. Macdonald, F. Collyer, M. H. Hailes, and W. J. B. Boys, with 9th L. C. at Cawnpore, Ensigns G. Carr, J. A. James, and G. N. C. Hall, with 37th N. I. at Dinapore; J. Iveson with 7th do. at Berhampore; N. A. Parker with 16th do. at Barrackpore; and F. A. Carleton with 36th do. at Sultanpore, Oude.

CADETS ADMITTED.

Messrs. N. Macdonald, F. Collyer, M. H. Hailes, and W. J. E. Boyes, to Cavalry, and prom. to Cornets. Messrs. G. Carr, J. A. James, G. N. C. Hall, F. A. Carleton, A. Rausay, N. A. Parker, J. Drummond, J. Iveson, W. Kennedy, C. Grissell, and T. Martin, to Infantry, and prom. to Ensigns. Messrs. E. S. S. Waring, T. Quin, and E. Ekins to Cavalry, and prom. to Cornets. Messrs. R. R. W. Ellis, C. Norgate, C. C. Toulmin, C. Codrington, E. Robertson, C. Black, J. P. Walker, G. Johnstone, E. Talbot, L. P. D. Eld, to Infantry, and prom. to Ensigns. Messrs. Charles, J. H. Le Fevre, J. R. Fowler, G. W. Stokes, W. Lamb, and T. Bennet, to Inf., and prom. to Ensigns. Mr. G. Temple as an Assist. Surgeon.

FURLONGHS TO LEAVE INDIA.

To Europe.—May 11. Lieut. Col. Com. C. S. Fagan, 44th N. I. on private affairs; Lieut. Col. T. Murray, 40th N. I., on do.—12. Capt. W. Jover, 64th N. I., for health; 1st Lieut. J. R. Reveil of Artil. for health; Lieut. R. Fitzgerald, 6th N. I., for ditto.—19. Capt. W. Maetier, L. C., for health.—23. Lieut. F. Macrae, 67th N. I., for health.—29. Capt. R. Bissett, 18th N. I., for health.

To New South Wales.—May 19. Lieut. F. Smith, 48th N. I., for health.

MISCELLANEOUS.

June 2.—Brig. Gen. Cotton having returned from Ava, the commission of Brig. Gen. granted to that officer during the war is recalled.

BOMBAY.

STAFF APPOINTMENTS.

Bombay Castle, June 26, 1826.—Lieut.-Col. Salter to have command in province of Candesh.—27. Lieut. C. H. Baddeley, 49th Madras N. I., to perform the duties of Interp. to 1st Bombay European regt. until further orders.—6. Capt. G. Graham, H. M.'s 2d Foot, to be Aid-de-camp to the hon. the Governor, v. Gillespie, app. to the Staff of the Right Hon. the Governor-General; Lieut. R. M. Hughes, Interp. and Quarterm. to be Adj. v. Reed, prom., relinquishing his present appointments.

REGIMENTAL PROMOTIONS.

2d Light Cavalry.—Cornet W. J. Ottley to be Lieut. v. Torin, dec.; date of rank, Feb. 2, 1826.

1st or Gr. N. I.—Eas. H. B. Campbell to be Lieut. v. Fenwick dec.; date June 2.

10th N. I.—Lieut. C. Catheart to be Capt. and Ens. E. Marsh to be Lieut., in succession to Palin, dec.

16th N. I.—Lieut. B. Crispin to be Interp. and Quarterm., v. Hopkins, app. Adj.; date June 1.

July 1, Lieut. D. Cunningham to be Capt. on the New Establishment.

ADJUSTMENT OF RANK.

July 1, 1826.—Capt. J. Bayly, 2d Regt. Light Cav., having retired prior to his promotion on the 1st of May, 1824, his commission of Captain to be cancelled, and Capt. N. C. Rybot to take rank, v. Gordon, prom.; date of rank, May 1, 1824.—Lieut. H. J. Robinson, of ditto, to take rank, v. Bayly, retired; date of rank, Sept. 18, 1822.—Lieut. — Thuillier, of ditto, to take rank, v. D. Cunningham, prom.; ditto May 1, 1824.—Lieut. W. Trevelyan, of ditto, to take rank on the New Establishment; date ditto.

BIRTHS, MARRIAGES AND DEATHS.

CALCUTTA.

Births.—May 29. The lady of J. M. Seppings, Esq., of a son.—June 7. At Chowringhee, the lady of R. Saunders, Esq., Civil Service, of a son.—22. The lady of A. Colvin, Esq., of a son.—27. The lady of L. Clarke, Esq., barrister-at-law, of a son.—28. At the house of the Advocate-General, the lady of Capt. G. M. Greville, 16th Lancers, of a son; the lady of Capt. D. Kitchener, of a son.—At Chowringhee, the lady of Lieut-Col. Bryant, Judge Advocate General, of a son; the lady of Capt. Maddock, Secretary to the Clothing Board, of a son.—July 1. The lady of the Rev. A. F. La Croix, of a daughter.—8. The lady of Edw. Hickman, Esq., Assist.-Surg. of a daughter.—Late, in Fort William, the lady of Dr. Mouat, M. D. of a daughter.

Marriages.—May 31. Capt. W. Clifton, to Anna, youngest daughter of F. Vignon, Esq.—June 10. Ens. C. W. Sibley, H. M.'s 13th Foot, to Miss Elizabeth Hamilton. Doctor Henry Harvey Miller, to Miss Margaret Lyons, second daughter of Mr. M. Lyons.—15. F. W. Hands, Esq. of the 38th Madras Regt., to Miss Agnes Leech.—20. Mr. John Browne, of the Military Board Office, to Miss Catherine Paterson, of the Kidderpore School, daughter of the late Lieut. Paterson, of the Hon. Company's Service.—26. Capt. Gillespie, Aide-de-Camp to the Right Hon. the Governor-General, to Miss Casement.—27. Mr. John Stark, of the General Post Office, to Miss E. Macintosh.—July 10. Capt. G. H. Nash, of the Hon. Company's 62d Regt. N. I. to Mary-Anne, daughter of Major Costley, commanding the Calcutta Native Militia.

Deaths.—May 5. At Barrackpore, Lieut. J. Hindson, 66th N. I.—20. J. A. MacArthur, Esq., of the Revenue Accountant's Office, and brother of Mrs. Col. Wiggins.—22. Lieut. W. Murray, H. M. 47th foot, aged 40.—25. Mrs. Margaret Boyd, the lady of W. S. Boyd, Esq., aged 23.—June 2. Miss Georgiana, infant daughter of the late George French, Esq., judge of the circuit, Bechamptore, aged 17 months.—6. Mr. Henry Hamilton, late assistant surveyor and head draftsman in the office of the late Surveyor-General of India, aged 41.—8. Mr. Henry Dixon, late of the flotilla service, aged 21. Bridget Maria Sandon, aged 23 years, wife of Mr. G. A. Sandon, of the Hon. Company's marine.—10. D. R. Smith, Esq., formerly Lieut. and Adj. of Gardener's Local Horse, aged 31.—14. In Fort William, the infant daughter of Lieut. G. H. Cox.—July 3. Capt. R. S. Fielder, of the Country Service, aged 34 years.—Aug. 2. At Barrackpore, the Hon. Jeffery Amherst, eldest son of Lord Amherst, aged 24 years.

MADRAS.

Births.—June 5. The lady of T. Allsop, Esq., of a son.—8. The lady of W. Scot, Esq., secretary to the Medical Board, of a son.—July 9. The wife of Mr. J. S. Harvey, of a son.

Marriages.—June 1. Capt. W. V. Hewith, Bombay army, to Caroline, eldest daughter of the late Lieut.-Col. R. J. Cotgrave, of the Madras Engineers.—29. Lieut. J. U. Colebrook, 43d Regt. Madras N. I. to Miss Jane Maria Balfour.—July 3. Lieut. P. J. Begbie, 2d Batt. Madras Artillery, to Charlotte Ward, youngest daughter of the late R. H. Morphet, Esq. of Mallow, in the county of Cork. Major James Perry, 31st Regt. of Trichinopoly Light Infantry, to Elizabeth Margaret, eldest daughter of Lieut.-Col. Read, Deputy Quarter-Master-General of his Majesty's Forces in India.—8. Mr. W. Kelly, to Charlotte, the daughter of the late Mr. C. L. Battle.—10. Lieut. J. Dambell, 23d N. I., to Barrara Adair, fourth daughter of the Rev. A. Laurie, D.D. Ayrshire.—Aug. 7. Capt. F. Whinyates, Hon. Co.'s Horse Artillery, to Elizabeth, youngest daughter of J. Campbell, Esq., of Ormadale, Argyleshire.

Deaths.—June 6. The infant son of T. Allsop, Esq.—12. Capt. Cosby, Military Secretary to the Commander-in-Chief.—16. Laura, eldest daughter of T. V. Stonhouse, Esq., in her sixth year.—23. John Parry, only son of T. V. Stonhouse, Esq., aged five years.—July 13. At Vepery New Town,

General List of Passengers.

DEPARTURES FROM EUROPE.

Date. 1826.	Port of Depart.	Ship's Name.	Commander.	Destination.
Dec. 1	Gravesend ..	Dominica ..	Hodgson ..	St. Helena
Dec. 4	Deal ..	Kent ..	Acock ..	Van Diemen's Land
Dec. 4	Deal ..	Magnet ..	Watkins ..	Cape
Dec. 15	Deal ..	Maitland ..	Studd ..	Bombay, &c.
Dec. 15	Portsmouth ..	William Harris	Stevens ..	Ascension
Dec. 21	Deal ..	Mangles ..	Carr ..	Bombay
Dec. 21	Deal ..	St. Leonard ..	Rutherford	Bengal
Dec. 23	Deal ..	Ceres ..	Warren ..	Bombay
Dec. 24	Deal ..	Vesper ..	Talbert ..	Madras and Bengal
Dec. 24	Deal ..	Seppings ..	Loader ..	Mauritius & Ceylon
Dec. 26	Liverpool ..	Noron ..	Leggett ..	Mauritius

GENERAL LIST OF PASSENGERS.

PASSENGERS HOMEWARDS.

By the *General Palmer*, Capt. Tinscott, from Madras:—Mrs. Col. Stockpoole; Mrs. MacLeod; Mrs. Bailie; Miss Boyle; Mesdames Smit, W. Grey, Mitchell, Banister, and Grey; William Peyton, Esq. Senior Member Medical Board; J. Thomas, Esq. C. S.; Capt. Taylor, 4th Lt. Cav.; Capt. Evanson, H. M.'s 54th regt.; Lieut. Harris, H. M.'s 20th regt.; Dr. Chiney; Dr. Chambers, Messrs. Reid, W. Grey, Holland, Mitchell, and Beauchamp, Hon. Co.'s Service; two Misses Bailies; two Misses Baisters; Masters Massey, Stockpoole, Forbes, Davies, Bailies, and Baisters.

By the *Zenobia*, from Bengal:—Major A. Poyntz; Capt. W. Warburton; Lieuts. J. Thompson, G. Byne, and Adj. Bannan; Paymaster W. Blair; Assistant-surgeon A. Cumming, H. M.'s 67th regt.

By the *Pyramus*, Capt. Brodie, from Bombay:—Mrs. Brodie; William Chaplin, Esq. late of the Court in the Deccan; James Fairbairn, Esq. Secretary to Government; Capt. Paul, Bombay Cavalry; Capt. Eden, H. M.'s 6th regt.; Capt. Douglas, H. M.'s 98th regt.; Capt. Billamore, Bombay Infantry; Lieut. Curties, H. M.'s 6th regt.; Robert Farr, Esq. merchant; Capt. Best, late of the *Perseverance*, from the Cape.

By the *Barossa*, Capt. Hutchinson, from Bengal:—Mr. Featherstone, C. S. died July 3; Lieutenant Marmelhu, and Mrs. and Master Marmelhu, from Madras; Colonel, Mrs., and Master Barry; Mr., Mrs., and Miss Mylius; Mrs. and Master Crow; Miss Schofield; Messrs. Paste and Beatie, R. N.; Capt. Starkins, Mr. Dobbins, and Mr. Collins, late of the brig *Mariner*.

By the *Morning Star*, Capt. Burkhart, from Ceylon:—Lieut.-Col. Paterson; Dr. Dwyer, Physician to the Forces; Major Audair, H. M. 16th regt.; Lieut. Dwyer, 83d regt.; Lieut. Pacout, Ceylon Rifles; Mr., Miss, and Master Lusigan; Miss Andrews; Master Reeves.

PASSENGERS OUTWARD.

By the *David Scott*, (Thornhill,) sailed 14th December, 1826.—Dr. and Mrs. McDougal; Mrs. Dunlop; Miss Campbell; Miss Gray; James Thompson, Esq., free merchant, Bengal; James Scott, Esq., ditto, Madras; Mr. Van Ristal; Messrs. Fraser, Grant, Bentall, Corsar, and Money, writers; Lieut. Bray, Madras Cavalry; Messrs. Pigott, Salmon, Onslow, Carter, Tabbor, Grange, Ghrimes, Stuart, Orr, McKenzie, McKewen, Lawrance, Cameron, and Buchanan; four steerage passengers.

By the *Triumph*.—Mr. and Mrs. McGillvray; Miss Frazer; Mr. Lewis; Mr. Roper.

By the *Tiger*, to New South Wales.—Deputy Commis. Gen. Maddox; Mr. W. Loxdall; Mr. James Robison; Mr. T. W. Rowlands, wife and family; Mr. Coombs; Mr. W. Loomes; Mr. W. Cook, wife and family; Mr. Henry Reed; Mr. Wedge, and family; Mr. C. T. Ware; Mr. Vallance; H. B. Bennett, Esq.

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FEBRUARY 1827.

THE ORIENTAL HERALD.

No. 38.—FEBRUARY 1827.—VOL. 12.

REJECTION OF THE CALCUTTA PRESS REGULATION BY THE SUPREME COURT AT BOMBAY.

THE last arrivals from Bombay have brought us some highly interesting and valuable documents, which we hasten to lay before our readers in a separate and detached article, rather than incorporate them in the General Summary of News; the importance of the subject to which they relate, and the authority of the personages whose deliberately formed and solemnly pronounced judgments they record, giving them the highest claim to notice and distinction.

The readers of the 'Oriental Herald' need not now be told of the warm, the deep, and the unabated interest which we have ever taken in the great question of the freedom of the Indian press; not, as some might imagine, because we have suffered so severely for advocating it,—because our opinions on this subject were as openly and as frequently expressed before those sufferings were ever contemplated or anticipated, as since we have been made to feel them in all their force,—but, because we sincerely believe that of all the single preventives or remedies ever yet proposed or conceived, for checking or redressing the evils inseparable from delegated authority, exercising almost absolute power, in an imperfectly known and distant dependency like India, there is none that can be compared with a Free and Independent Press, for the speedy detection and exposure, and for the efficient prevention, as well as cure, of the manifold abuses which spring from despotism wherever it is exercised.

This belief has assumed, in our mind, the firmness of a mathematical demonstration; and after having heard, and read, and deliberately weighed, all that has been advanced in every quarter in opposition to our views, the conviction has only gathered strength by time and reflection; so that we are as likely to doubt that the light of the sun prevents the commission in the open face of day of many crimes which are perpetrated with impunity under

cover of the darkness of night, as we are to doubt that the light of that moral publicity, which is shed on the conduct of public men by the freedom of the press, prevents their doing many things from a fear of censure from their fellow-men, which, under the darkness of a censorship, or a fettered press, they would commit without scruple or remorse.

Of the *truth* of this position,—that when men know the eyes of the world to be upon them, and are aware that their conduct will be scrutinized by their enemies as well as friends, they are more careful to act justly than when they know their deeds will neither be seen nor questioned by others,—no one can really doubt. But, because it is more agreeable to all men to act without check or control, than to submit to the censure or opinion of others, therefore, whoever has the *power* to render himself irresponsible to his fellow-men, will be sure to do so. It is the peculiar province of *law* to set limits to the exercise of this *power*: and, therefore, all men in authority, but especially those who are despotically inclined, and who are conscious that their conduct will not stand the test of free discussion, hate this part of the operation of law, and, by a common mode of transition from things to persons, hate also its upright administrators: though the law is an authority to which they are glad to appeal when it strengthens their own hands, and its administrators are persons whom they honour, when they consent to become mere instruments for effecting their own despotie purposes.

The history of India develops the operation of these opposing and conflicting principles in a great number of cases; and we believe that in all of them, wherever the authorities of the government and those of the law were at variance, the struggle has been one of right against might, of justice against oppression, and that the advocates of arbitrary power, as opposed to the administrators of the law, have been *always in the wrong*. It is unfortunately too frequently the case, that even *British Judges*, (and we believe them to be, on the whole, the most upright of all the public functionaries we have, and far superior in integrity to the Judges of every other country in Europe,) betray a leaning towards the side of power, which has long since accustomed the people to regard them with far other feelings than affection or veneration. But, if this tendency to strengthen the hands of authority be manifest in those who sit upon the bench in England, where the Judges lead more retired lives than most others of the great officers of state, and are but rarely thrown into that personal and social intercourse with the higher personages of the realm which is so dangerous to their impartiality and independence, in the thousand temptations it presents to allure them from the stern path of their public duty;—if the mere possession of rank and power in their own offices and persons, with the habitual tendency of a professional life passed in expecta-

tion of the reward they now enjoy, be sufficient, as we see it is, to make them regard the higher powers with something more than loyalty and devotion, and to view every exercise of the rights of freemen in the subject many, with disapprobation and censure, what may be expected to be the general state of feeling and conduct among the Judges appointed to the bench in our distant dependencies?

There, the narrow circle in which they move,—the constant personal intercourse into which they are thrown with governors and their favourites,—the absence of a free press, or a scrutinizing public,—the power of the governors to render their lives uncomfortable by a thousand nameless means,—the love of ease in enervating climates,—and the desire so to please the persons in immediate authority, as not to endanger their present gains, and to establish, by their approbation, a strong claim to future consideration;—there, where all these powerful agents are in continual operation to tempt the Judges from their duty, and turn them into mere instruments of those who hold the reins of government in their hand,—what may be expected to be their conduct? Why, precisely what it generally is: namely, a just administration of the law in all cases that occur between individual and individual, where there is no reason to believe that the decision will at all affect the interests, or excite the disapprobation, of the ruling power; but, a complete and prostrate subserviency to this power, in all cases that occur between it and those subject to its sway, and even in all cases in which the government is known to take any interest, to have any wishes, or to desire one issue rather than another to the question in dispute, whoever may be the parties between whom it has arisen. This is the general rule; whenever the reverse happens, it is a fortunate as well as honourable exception: and wherever that exception occurs, it is the duty of those who honour virtue and integrity, to proclaim it aloud to the world, not merely for the sake of comforting and supporting the individual who is bold enough to do his duty, fearless of consequences, and encouraging others to follow the noble example, (though these are objects worthy of every honest man's regard,) but also for the sake of imprinting, by every possible means, this precept upon the minds of men---that whenever, or wherever, an individual with a superior head and heart is found, with an understanding enlarged enough to know, and a courage undaunted enough to perform, his duty to his fellow-creatures, it behoves every man who honours virtue to rally round its standard when so unfolded, to give their voices, hearts, aye, and even hands too, if needed, to his support,---to shield him wherever possible from the persecution of his enemies, and to cheer him with the assurance of their admiration, their sympathy, and their regard.

Such a man is the present excellent and upright Judge at Bombay, Sir Edward West, and such a man should every lover of his country and mankind 'delight to honour.' We have, on many former oc-

casions, given detailed accounts of the proceedings in which, in his official station, he has been engaged, and they must be so fresh in the recollection of our readers generally, that we need do no more at present than advert to them.

His first great act was to prove to the Natives of India, that British Courts of Judicature were established in that country, not for the purpose of giving to arbitrary power the sanction of the forms of law, making its evils therefore more hopeless as well as more intolerable; but to dispense *equal* justice to all parties carrying their claims before it for decision, without reference to the comparative station, wealth, or complexion of the suitors, and proving, that even the 'sovereignty' of the East India Company and its lordly servants, could be compelled to bend before that tribunal, which is only entitled to respect when it levels all distinctions, and dispenses justice with an entire disregard to the rank or station of those who may be clearly convicted of wrong.

His next step was to reform the state of the Press, by putting the law upon that subject at Bombay on exactly the same footing as in England, compelling the proprietors of all public journals to register their names as such, in order that the public, instead of being mocked, as heretofore they had been, with fictitious responsibilities, the editors being mere tools, while the Government itself was playing its own iniquitous game behind the curtain, might know whom to call to legal account for their assertions, and that the law might know also whom to visit with its proper punishment.

His next act was to investigate the state of the police at Bombay, and having discovered a system of arbitrary punishments as cruel as they were illegal, to deliver an able and dignified charge to the Grand Jury at that Presidency, commenting, in becoming terms, on the illegal exercise of authority by the Magistrates of Police, setting limits to their power, and opening a door of hope to the unhappy Natives for escape from an arbitrary system of fining, flogging, imprisoning, and banishing, carried on almost at the discretion of the parties exercising the power, and often in compliance with angry masters or mistresses, who sent their unhappy servants with notes to the police-office, to beg that the bearer might receive a certain number of lashes or stripes, without inquiry into his offence, or without knowing, indeed, whether he had offended at all !*

These great reforms, which would have been worthy of the best English Judge in the best days of English history, were the work of Sir Edward West, and this too under all the powerful temptation to a contrary course of conduct, which none but those who

* See this admirable charge of the Chief Justice, at length, in the *Oriental Herald*, Vol. IX. p. 410.

have lived in colonies and distant dependencies can sufficiently appreciate. We at one time considered these bright parts of his judicial character to have been obscured by an act, which, though many other virtues might redeem, no excuse could justify; we mean, the application to the Bombay Government, on the part of the Court there, to remove an English Editor, Mr. Fair, by the power which that and every other Indian Government still unfortunately possesses, to inflict arbitrary banishment, without trial, on any individual it may choose to select as its victim. Under the impression that all the Judges of the Court concurred in this application, we included all in our censure of this proceeding, (for censure, by whomsoever it was done, it truly deserved.) We are glad, however, even at this late hour, to learn that Sir Edward West did *not* join in this application for Mr. Fair's banishment; and that no portion of the odium which this transaction brought on the bench belongs to its Chief Judge, a fact we are gratified in being able to record; and we may add our conviction, that those with whom that measure originated are now convinced that its effect was to lessen the dignity, and impair the power even of that very authority which we have no doubt it was their intention to uphold. As to the conduct of the Governor of Bombay, who alone could carry such a measure into execution, by whomsoever suggested, in first permitting an individual to be used as the organ or instrument of a party, of which the chief member of his own council was at the head, and then suffering the same individual to be sacrificed as a victim,—when he might have stayed the sacrifice by a mere word of refusal to accede to it,—his contemporaries have already formed their judgment; and although it will be painful for one who loves and courts popularity as Mr. Elphinstone does, to reflect on it, yet he may be assured that posterity will also form theirs; and that he will hold a place in the future history of India, from which, when his end approaches, he would give all his possessions to escape.

To return to Sir Edward West. If he were to leave only the three important benefits we have already described, behind him, he might quit India with the character of a great benefactor as well as an upright Judge. But he has done more: and may every year that he remains be as prolific in good deeds! He has not only given the Natives of India an elevated idea of English Justice, and bestowed upon his fellow-countrymen, in that land of despotism, as much of the freedom of the English Press as can be enjoyed by law while the tyrannical and execrable power of arbitrary banishment without trial remains, to the lasting disgrace of England, who granted, and of Englishmen who make no struggle to destroy this monster, against whose devouring and destroying influence, all the legal authorities in the country can at present afford neither protection nor remedy,—to the shame of the British Legislature, and

the professed friends of freedom be it spoken; but he has done more. He has refused, and in this good work we are happy to see that he has been nobly supported by his brother Judge, Sir Charles Chambers, to legalize by adoption the illegal and infamous restrictions on the Indian Press, which Mr. Adam, a professed Whig, had the tyranny to propose, Mr. Spankie, a renegade republican, the shameless effrontery and wickedness to frame, Sir Francis Macnaghten the weakness to register, and the Privy Council of England the disgrace to confirm;—*all* declaring, in the face of law, of precedent, of usage, of reason, of common sense, that a regulation, which another ex-republican, Mr. Fergusson, before he was appointed to the lucrative office of Mr. Spankie as Advocate General of the Company in Bengal, denounced as not merely illegal and execrable, but fit to be ranked with the most tyrannous acts of the most tyrannous government on earth: *all*, we repeat, declaring such a regulation to be not merely wise, expedient, and salutary, but *not repugnant to the law of England!* Happy law! that can be made at once to justify the free expression of opinion, even to the extent of proposing an alteration in the constitution, and entirely changing the established government of the country; and at the same time to justify the fettering every man's pen and tongue, and debasing them to a slavery not surpassed at Constantinople or Algiers: and happy land! where a popular advocate like Brougham, can be found to defend, and popular Councillors, like Mr. Wynn and other statesmen of Whig principles and education, can be found to confirm this unintelligible property of law, to reconcile all discordances, and to make freedom and oppression, speech and silence, light and darkness, one and the same,—neither differing from, nor hostile or repugnant to the other!

‘Where, spite of pride—in erring Reason’s *spite*,
One truth is clear—Whatever *is*—is right.’

To resume our narrative of the proceedings which we have now the pleasure to record, we may state, that in consequence of the entire subservience of the Press at Bombay to the Government and its *principal* members, (for we are happy to say that there is one honourable exception, in the person of Mr. Goodwin, to whose praise, we think, it should be mentioned, that he has never mixed himself up with his colleagues in the discreditable proceedings in which they have been engaged, but has steadily adhered to the impartial discharge of his public duty,) the most important proceedings of the Supreme Court there are either not reported at all, or so misrepresented as to deprive them of all claim to the respect they deserve. Fortunately, however, the whole of the Judges, with that regard to their reputation as lawyers, which becomes every professional man, have latterly taken the pains to write out their judgments on important cases; and copies of these being deposited with the Clerk of the Crown, can be had by persons inte-

rested in preserving them for reference or otherwise, without favour or distinction. A friend in Bombay has procured us such office copies of the documents we are about to place on record in our pages, so that we can assure him of their perfect authenticity; and as the narrative of the proceedings which accompanies them has been drawn up from materials carefully examined, and evidence accurately weighed, we shall present the whole in a connected form to our readers and the world:

On Monday the 10th of July last, the Calcutta regulation for the Press, which had been proposed by the Government of Bombay to the Supreme Court of Judicature there, for adoption as the law of that Presidency also, by giving it the sanction of their registration, was read in open Court, declared to be illegal, and as such rejected. Mr. Justice Rice, however, dissented from the other Judges, and stated it as his opinion, that the Court *ought* to register it. It would be difficult to guess at the reasons of this dissenting Judge for sanctioning this regulation, particularly as he opposed the former one,* (the object of which was merely to place the Press upon the same footing as in England,) upon the ground that it was similar to the very Calcutta regulation which he was now of opinion ought to be registered! Upon what principle this inconsistency is to be defended, it is not easy to understand. Here is an English Judge, who disapproves of the restrictions of the Press which exist in England, because they are *similar* to the regulations introduced by Mr. Adam at Calcutta; yet he afterwards deliberately sanctions those very Calcutta regulations, a supposed resemblance to which was fatal, in his estimation, to the English ones! The only clue to this extraordinary conduct is the subserviency of this otherwise respectable individual to the Government; or, which is the same thing, in other words, his opposition to his brother Judges. The Government of Bombay, it is true, proposed the former regulations, which Mr. Justice Rice opposed, and which had been suggested by the other Judges. It was well known, however, that the Government adopted this suggestion most reluctantly, and they did not pass the regulation for six months after its suggestion, nor until they were given to understand, that if they did not pass it, the Court would apply to the British Legislature to extend such regulation (which existed by statute 37 and 38 Geo. III. in England) to India. The Bombay Government waited for six months after this moderate and constitutional suggestion of the Court, before they carried it into effect, in order to give time to Mr. Warden, one of their principal members, to dispose (at least

* The former regulation merely compelled the editors to make affidavit of the names of the proprietors, editors, &c., which affidavit was to be filed in the Secretary's office, and copies to be delivered, on payment of a small fee, to any person applying for the same. See this regulation given at length in the '*Oriental Herald*,' Vol. viii. p. 573, and Remarks on it, Vol. viii. p. 568.

nominally) of his property in that very newspaper whose continued misrepresentations of the Court's proceedings had occasioned such a precautionary measure to be first thought of. The Government adopted the suggestion of the Court reluctantly, because, when carried into effect, the registry of the real names of the newspaper proprietors at Bombay would necessarily expose the whole system of duplicity which they had carried on so long. It must expose the hollowness and hypocrisy of Mr. Elphinstone's enfranchisement of the Press within his particular Presidency, the newspapers and presses of that Presidency being the property entirely of his personal friends, who were all in places of emolument under his Government, and, therefore, subject to his wishes and his will: namely, Mr. Warden, Chief Secretary, and afterwards Member in Council; Mr. Bell, Member in Council; Mr. Wedderburn, Accountant-General and Civil Auditor, and Mr. Morgan, Company's solicitor: a very happy combination, it must be admitted, of councillors to furnish matter for publication: an accountant and auditor to pass bills and manage funds, and a solicitor, who, like all the rest, maintaining an office at the Company's expense, might render his legal services to the concern on the easiest terms! Next to this, the English regulation must expose the power which the Government had over the Press, and the facility with which they might have restrained its abuse of the Court, without banishing Mr. Fair, the Editor, for doing that which he knew to be agreeable to them, and which, unless he were encouraged by Mr. Warden to do, he would not have edited another number of his Paper after the first offence, if it ever had been offensive to his employer. Thirdly, it would expose the source of all the flattery of Mr. Elphinstone and of Mr. Warden, as emanating from their own immediate creatures. And on these, as well as on other general grounds, any thing approaching to the English freedom of the Press, which was the object of the first regulation proposed, and since registered by the Supreme Court at Bombay, the Government were most reluctant to consent to their introduction. The registration was, however, effected, and the triumph of right was in this instance complete.

The introduction of the Calcutta regulation to Bombay was on the plea of a desire to prevent publications having a tendency to bring the Government of the country into hatred and contempt. But whoever will take the trouble to turn over a file of Bombay newspapers for these two years past, will find nothing but the grossest adulation of the Government and its members, (which *has*, indeed, brought both them and their flatterers into real contempt, though this is not the kind of writing, the tendency of which is so much dreaded.) Among other epithets and phrases that strike the most casual observer in the Bombay Papers, are the following: 'The Government with their wonted liberality'—'generosity'—'munificence'—'attention to the wants of the Natives'—'paternal solicitude,' &c.—'Our beloved head'—'that great and good man'—'our

excellent Governor,'---'eminent qualities,'---'panegyric most unnecessary,'---'fame and popularity followed him; he did not run after them,'---'language inadequate,'---'unbounded applause,'---'eminent virtues,'---'admiration,'---'modesty which shuns the glare of his own brilliant career,'---'most liberal of mankind,'---'feel much more than we can express,'---'genius,'---'illustrious,'---'enthusiastic admiration of so noble a character,'---'Mr. Warden in a most eloquent speech,'---'was frequently interrupted by the most rapturous applause,'---'the school-fellow of the most noble the Governor-General,'---'the esteemed and most intimate friend of the great Sir John Malcolm,' &c. Even Mrs. Warden frequently occupies the leading article of her own husband's paper,'---'Bombay Gaieties.' 'Mrs. Warden at home,'---'The unremitting and affable attention of the fair hostess,'---'Mrs. Warden again at home,'---'Good taste,'---'liberal hospitality,'---'polite attention,'---'party most pleasant and agreeable,'---'that amiable lady,' &c.

The English regulation for the Bombay Press, which, by compelling the registry of the real proprietors of the Indian newspapers, exposed the corrupt source of all this panegyric, could not be very acceptable to the Government; and it is well known that they would have much preferred the Calcutta regulation, which makes no such rude exposure, to this English regulation, had they not known that the Court would not sanction it. The Calcutta regulation, as may be seen by a bare perusal of it, is made for the benefit of the Government alone,* and does not contain any provision for the protection of the public; such as are found in the English Acts of Parliament, adopted in the regulation introduced and sanctioned by the Court at Bombay. Mr. Justice Rice, therefore, in opposing the regulation, was actually, as is well known, taking part with the Government, who, though obliged to propose it, were, in reality, most hostile to its being registered. But, after having opposed this moderate and English regulation, upon what ground could he support the extravagant and unconstitutional regulation of Mr. John Adam and Mr. Justice Macnaghten?—Upon the same principle which appears to have actuated him throughout, namely, and that alone—subserviency to the local Government. There is no other explicable way of accounting for such inconsistency; but this will account for any thing. Inconsistent, however, as this conduct was, it cannot be more so than that of Governor Elphinstone. Not seven years are passed since that 'great and good man,' 'that noble character,' 'the most liberal of mankind,' 'whom fame and popularity follow, but which he does not run after,' at the commencement of his 'brilliant career,' as 'the beloved head' of Bombay, received with 'a modesty which shuns the glare of his

* See the 'Oriental Herald,' Vol. I. p. 123.

brilliant actions,' the plaudits of all India for following the example of the Marquis of Hastings, in freeing the Press from the shackles which then enthralled it; and he now proposes for Bombay the Calcutta regulation of Mr. Adam, which prohibit the publication of any newspaper or periodical work, without a license from the local Government, such license to be revocable at its mere will and pleasure! The censorship, from which Governor Elphinstone pretended (for it was a *mere* pretence, whilst all the papers were under the immediate control of Mr. Secretary Warden, as chief proprietor of the one, and sole proprietor of the other,) to relieve the Press at Bombay, was harmless, and liberty itself compared with the Calcutta regulation, of which he is now the friend and advocate. The former gave the Government merely a negative power over the Press; it gave them the power of preventing any thing appearing in the papers which they disliked; the latter gives them a *positive* power, a power not only of preventing any thing distasteful to them from being inserted, but of ensuring, by the suppression of papers conducted by editors whom they dislike, and the toleration of such papers only as suit their purpose, the insertion, in such of them as they please, of what is most agreeable, whether true or false, and of whatever is most likely to effect their purpose, whether just or unjust. To suppose that such will not ultimately be the result of such regulations, if they continue for any length of time to be considered as confirmed and undisputed law at Calcutta, is to suppose that the Government will not make the most advantageous use of their power,—is to suppose, in short, that human nature is not human feature in India; whereas we know, unfortunately, that this features of human nature, love of power, and indifference to the means by which it is indulged, are more strongly developed in India than in any other country.

But to return to Governor Elphinstone.—It may be said, that in respect to the Calcutta regulation, now happily rejected, he had no choice, that he was *ordered* by the Court of Directors to propose it for adoption at Bombay, and that he was bound to obey his orders. Suppose it, however, to be the fact that such an order was issued, which is highly probable, could a person of Governor Elphinstone's 'genius' be blind to the distinction between *ministerial* and *legislative* functions? Could a person of his 'splendid talents' be unaware, that though he might be bound to obey the mandates of the Court of Directors in the former capacity, he could not be so bound in the latter; but that it was his duty to exercise his own unbiassed judgment upon all subjects of legislation? Besides, is Mr. Elphinstone so obedient to *all* the mandates of the Court of Directors? In many cases, certainly not; and it has already been currently reported at Bombay, that he has made up his mind *not* to obey their last positive peremptory order, prohibiting all connection of the Company's servants with the Press in India, though he himself, as Governor-General in Council,

was the organ of issuing this order to the Service at large. It is confidently stated that Mr. Warden, Member in Council, and Mr. Wedderburn, Accountant-General and Civil-Auditor, are still to remain proprietors of the Bombay Courier newspaper. This was reported at Bombay long before the late rejection by the Court of the proposed Calcutta regulations. Will not such rejection be used as a plea for such disobedience? Time will show. In the meanwhile, we present to our readers the regulation, as proposed by the Government of Bombay to the Supreme Court at that Presidency for registration, without which it cannot possess the force of law, and the judgments of the respective Judges; by the majority of whom, constituting the Court, the regulation was rejected.

‘SUPREME COURT, JULY 10, 1826.

‘The following proposed Regulation was read by the Clerk of the Crown :

‘RULE, ORDINANCE, AND REGULATION I. of 1826.

‘A Rule, Ordinance, and Regulation, for the good order and civil government of the Presidency of Bombay, passed by the Honourable the Governor in Council of Bombay, the 14th day of June, in the year of our Lord 1826, and registered in the Supreme Court of Judicature at Bombay, under date the day of 1826.

‘*Preamble.*—WHEREAS a rule, ordinance, and regulation, was passed in the year 1823, by the Hon. the Governor-General in Council, of and for the presidency of Fort William, in Bengal, with the consent and approbation of his Majesty’s Supreme Court of Judicature at the aforesaid presidency, for the prevention of the printing and circulating in newspapers, and other papers published at the aforesaid presidency, matters tending to bring the Government of this country, as by law established, into hatred and contempt, and to disturb the peace, harmony, and good order of society; which said rule, ordinance and regulation, after an appeal against the same having been on solemn deliberation disallowed by the King’s most excellent Majesty in Council, still remains in full force. And whereas, with a view to prevent the printing and circulation of such matters, as aforesaid, within the presidency of Bombay, it is deemed expedient to regulate by law the printing and publication within such presidency of newspapers, and of all magazines, registers, pamphlets, and other printed books and papers, in any language or character, published periodically, containing or purporting to contain, public news and intelligence, or strictures on the acts, measures, and proceedings of Government, or any political events or transactions whatsoever.

‘I. Be it, therefore, ordained by the authority of the Hon. the Governor in Council of and for the presidency in Bombay, by, and in virtue of, and under the authority of a certain act of parliament, made and passed in the forty-seventh year of the reign of his late Majesty King George the Third, entitled, ‘An act for the better settlement of the Forts of St. George and Bombay,’ That fourteen days after the registry and publication of this rule, ordinance, and regulation, in the Supreme Court of Judicature at Bombay, with the consent and approbation of the said Supreme Court, if the said Supreme Court

shall, in its discretion, approve of, and consent to, the registry and publication of the same, no person or persons shall, within the said presidency of Bombay, print or publish, or cause to be printed or published, any newspaper or magazine, register, pamphlet, or other printed book or paper whatsoever, in any language or character whatsoever, published periodically, containing, or purporting to contain, public news or intelligence, or strictures on the acts, measures, and proceedings of Government, or any particular events or transactions whatsoever, without having obtained a licence for that purpose, from the Governor in Council, signed by the Chief Secretary of Government for the time being, or other person acting and officiating as such Chief Secretary.

‘ II. And be it further ordained, by the authority aforesaid, that every person applying to the Governor in Council for such licence, shall in all particulars conform, or have conformed, to the provisions ordained by the rule, ordinance, and regulation I. of 1825, in regard to the making, signing, and delivering of affidavits as therein prescribed, under the penalties therein ordained in default thereof.

‘ III. And be it further ordained, by the authority aforesaid, that every licence which shall and may be granted in manner and form aforesaid, shall and may be resumed, and recalled by the Governor in Council ; and from and immediately after notice in writing of such recall, signed by the said Chief Secretary, or other person acting and officiating as such, shall have been given to the person or persons to whom the said licence or licences shall have been granted, such notice to be left at such place as is mentioned in the affidavit last delivered, according to rule, ordinance, and regulation I. of 1825, as the place at which the newspaper, magazine, register, pamphlet, or other printed book or paper, to which such notice shall relate, is printed, the said licence or licences shall be considered null and void, and the newspapers, magazines, registers, pamphlets, printed books or papers to which such licence or licences relate, shall be taken and considered as printed and published without licence ; and whenever any such licence, as aforesaid, shall be revoked and recalled, notice of such revocation and recall shall be forthwith given in some one of the newspapers, for the time being published in Bombay.

‘ IV. And be it further ordained, by the authority aforesaid, that if any person within the said presidency of Bombay, shall knowingly and wilfully print or publish, or cause to be printed or published, or shall knowingly and wilfully, either as a proprietor thereof, or as agent or servant of such proprietor, or otherwise, sell, vend, or deliver out, distribute or dispose of, or if any bookseller or proprietor, or keeper of any reading-room, library, shop, or place of public resort, shall knowingly and wilfully receive, lend, give, or supply, for the purpose of perusal or otherwise, to any person whatsoever, any such newspaper, magazine, register, or pamphlet, or other printed book or paper as aforesaid, such licence as is required by this rule, ordinance, and regulation not having been first obtained, or after such licence, if previously obtained, shall have been recalled as aforesaid, such persons shall forfeit for every offence a sum not exceeding four hundred rupees.

‘ V. And be it further ordained, by the authority aforesaid, that all offences committed, and all pecuniary forfeitures and penalties had or incurred under or against this rule, ordinance, and regulation, shall and may be heard, and adjudged and determined by two or more justices of the peace, acting in and

for the presidency of Bombay, who are hereby empowered and authorized to hear and determine the same, and to issue their summons or warrant for bringing the party or parties complained of before them, and upon his or their appearance, or contempt and default, to hear the parties, examine witnesses, and to give judgment or sentence according as in and by this rule, ordinance, and regulation, is ordained and directed, and to award and issue out warrants, under their hands and seals, for the paying of such forfeitures and penalties as may be imposed upon the goods and chattles of the offender, and cause sale to be made of the goods and chattles if they shall not be redeemed within six days, rendering to the party the overplus, if any be, after deducting the amount of such forfeiture or penalty, and costs and charges attending the levying thereof; and in case sufficient distress shall not be found, and such forfeitures and penalties shall be forthwith paid, it shall and may be lawful for such justices of the peace, and they are hereby authorized and required, by warrant or warrants, under their hands and seals, to cause such offender or offenders to be committed to the common jail of Bombay, there to remain for any time not exceeding four months, unless such forfeitures and penalties and all reasonable charges, shall be sooner paid and satisfied; and that all the said forfeitures, when paid or levied, shall be from time to time paid into the treasury of the United Company of Merchants of England, trading to the East Indies, and be employed and disposed of according to the order and directions of his Majesty's said justices of the peace, at their general quarter or other sessions.

‘ Provided always, and be it farther ordained by the authority aforesaid, that nothing in this rule, ordinance, and regulation contained, shall be deemed or taken to extend or apply to any printed book or paper containing only shipping intelligence, advertisements of sales, current prices of commodities, rates of exchange, or other intelligence solely of a commercial nature.

(A true copy) ‘ C. GRANT,
Clerk of the Crown

(Signed) ‘ D. GREENHILL,
Acting-Secretary to Government.

Judgment of the Chief Justice, Sir Edward West.

Before I consider the proposed regulation, I shall state what I conceive to be the duty of the Court on these occasions where regulations are passed by the local Government, and by them transmitted to the Court for registration under the statute.

By the 13th Geo. III, c. 63, sec. 36. it is enacted,

‘ That it shall and may be lawful for the Governor-General and Council of the said United Company's settlement at Fort-William, in Bengal, from time to time, to make and issue such rules, ordinances, and regulations, for the good order and civil government of the said United Company's settlement at Fort-William aforesaid, and other factories and places subordinate, or to be subordinate thereto, as shall be deemed just and reasonable, (such rules, ordinances, and regulations, not being repugnant to the laws of the realm,) and to set, impose, inflict, and levy reasonable fines and forfeitures for the breach or non-observance of such rules, ordinances, and regulations; but, nevertheless, the same, or any of them, shall not be valid, or of any force or effect, until the same shall be duly registered and published in the said Supreme Court of Judicature, which shall be, by the said new charter, established, with the con-

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sent and approbation of the said Court, which registry shall not be made until the expiration of twenty days after the same shall be openly published, and a copy thereof affixed in some conspicuous part of the Court-house, or place where the said Supreme Court shall be held; and from and immediately after such registry as aforesaid, the same shall be good and valid in law.'

This provision is extended to the settlement of Bombay by the 47 Geo. III. sess. 2, c. 68, sec. 1.

It is to be observed, that this provision requires, in the *first* place, that such regulations are not to be repugnant to the laws of the realm; and

2d, That they shall not be valid, or of any force or effect, until the same shall be duly registered and published in the Supreme Court, with the consent and approbation of the said Court.

Upon this provision, various constructions have been put.

First, it has been stated, on the authority of a late learned Judge of the Supreme Court of Madras, who presided in the Recorder's Court here for a short period, Sir George Cooper, 'that the Court, except in cases where some gross and glaring infringement of the liberty of the subject is apparent on the face of the rule, have nothing to do with the legality of it, but that the Government is to decide on the fitness, justice, and reasonableness of it, and that it is for them to see and take care that it is not repugnant to the laws of the realm.'

This supposed judgment of the learned Judge was published in the Government papers of the 12th April 1823, and is as follows:

'The power of framing rules, ordinances, and regulations, is placed in the Governor-General, and Governors in Council respectively, at each presidency. They, the Governors aforesaid, are to decide on the fitness, justice, and reasonableness of the same, and it is for them to see and take care that such rules, ordinances, and regulations, are not repugnant to the laws of the realm. That the terms, consent and approbation, referred to publication and registry only, and were used because it would be too much to suppose that any thing could be hung up and registered in that Court without its permission. That such publication and registry did not give them any additional weight in point of law, for if the Government made regulations which were repugnant to the laws of the realm, it was perfectly competent to that Court to decide against their legality in any issue there depending; in fact, that the publication and registry in the Court of Recorder was nothing more than a declaration of the Court's knowledge of their existence, but did not prevent its affording relief when called upon to do so afterwards, should the circumstances of the case seem to warrant an interference. That the Court had, no doubt, the power of refusing to publish and register, but that it would only do so when some gross and glaring infringement of the liberty of the subject, arbitrary imprisonment, for instance, or something immoral, was apparent on the face of the rule sent for registry.'

In the first place, were such the true construction of the clause,

what is the meaning of the term approbation? In the next place, the learned Judge is made to say, 'that such publication and registry did not give the regulations any additional weight in point of law; for if the Government made regulations which were repugnant to the laws of the realm, it was perfectly competent to the Court to decide against their legality in any issue there depending.' But what says the statute itself? 'that the same shall not be valid, or of any force or effect, until they shall be registered; and that from and immediately after such registry as aforesaid, the same shall be good and valid in law.' Besides, could any thing be more mischievous than that regulations should be passed and registered which the officers of the Government and others are to enforce, and which, were an action to be brought against them for such enforcement, might be declared to be illegal, and, consequently, no justification to them? It is clear that the proper construction of the act is, that the Court is to take care, in the first instance, before the rules are registered, that they are not repugnant to the laws of the realm, and that, as soon as registered, they shall be good and valid in law, unless disallowed by his Majesty, as provided by the act.

2d, It may be, and indeed has been said, that under this provision of the legislature, the Court has only a judicial, but not a legislative, power,—that it is to consider the legality, but not the expediency, of regulations proposed by the Government.

In the first place, however, such construction is opposed to the words of the statute, 'that the regulations shall not be valid till they shall be duly registered with the consent and approbation of the court;' the word 'approbation' is unrestricted and unqualified, and I do not understand how we can restrict and qualify the term by construing it to mean approbation merely in point of law. Had the legislature intended this, how easy would it have been to have said such regulations not to be registered by the Court in case they shall consider them to be repugnant to the laws of the realm. In the next place, in all the proceedings upon the Appeal of Mr. Buckingham to the King in Council against the regulation passed at Calcutta, it is taken for granted that the Court are bound to consider, and did actually consider, its expediency. Thus, a part of the second reason advanced by the Court of Directors of the East India Company in support of the regulation is as follows: 'That the restrictions imposed by the rule, ordinance, and regulation, which is the subject of appeal, were called for by the state of affairs in the settlements of Bengal, and were adapted to the exigency of the case; and that they were not injurious to his Majesty's subjects in the said settlement, is to be inferred from the concurrent judgment of the Supreme Government of the East India Company, and of the Supreme Court of his Majesty.' The Court of Directors therefore assume, that the Supreme Court did exercise their judgment upon the expediency and necessity of the regulation, and did consider that it was called for by the state of affairs and the

exigency of the case. Mr. Serjeant Bosanquet also, in his argument as counsel for the Court of Directors, takes it for granted that the Court did exercise such judgment. 'It is' says he* 'for your Lordships' wisdom to determine whether in this case your Lordships do or do not agree in thinking that necessary and expedient which the local Government has found to be necessary, *which the Court established by his Majesty for protecting the rights of his subjects, and which is not the Court of the East India Company, has thought expedient, and has adopted and registered in these regulations?*

Nor did the counsel on the opposite side, who impugned the regulation, ever contend that the Court had no right to exercise a judgment as to its expediency; to them, insisting, as they did, that the preamble to the regulation which recited the existing evils had not been proved, it would have been a strong argument, that the Supreme Court had exercised no judgment upon that point. They, however, did not touch upon such argument, and evidently because it was untenable.

In many cases, too, it is impossible to separate the question of legality from that of expediency. In many cases, expediency may make that not repugnant to the laws of the realm, which, without such expediency, would clearly be so repugnant; I would instance the suspension of the Habeas Corpus Act. Would any one contend that such suspension would not be most unconstitutional, and in that sense of the term, most repugnant to the laws of the realm, if passed under circumstances which did not render it expedient, or rather necessary? Would, on the other hand, any one contend that it were repugnant to law, in case of such expediency or necessity? The same observations may be made with respect to the many acts of Parliament which the legislature has pronounced to be rendered necessary by the disturbed state of Ireland. All of them would be unconstitutional, and, in that sense, repugnant to the laws of the realm, unless rendered necessary by the state of the country. Indeed, it may be said, that every law, every restriction of the liberty, or the will of an individual, is repugnant to law, unless it be called for by necessity or expediency; but there is this distinction, that many laws are evidently expedient upon the face of them, and from the known principles and propensities of human nature, and require no specific proof that they are so; others may not appear to be expedient upon the face of them, and from the known principles and propensities of human nature, but may be shown to be so by evidence of particular facts and circumstances.

It is clear, therefore, that the Court have a right, or rather, are bound, to consider the expediency of proposed regulations; that the Court has, by the statute, legislative, and not simply judicial functions

* Page 91 of Proceedings on Buckingham's Appeal.

to perform, and that even if it were not so, if the Court were bound to exercise a power simply judicial, in many cases the legality depends so entirely upon the expediency, that the Court could not divest itself of the duty of considering it.

I shall now proceed to consider the regulation in question.

It must be premised, however, that the Press at this presidency is at present placed on precisely the same footing as in England. In March 1825, a regulation was passed by the Governor and Council, (upon a suggestion from the Court, made the preceding September, of its necessity, on account of the continued misrepresentations of the Court's proceedings by one of the newspapers,) which was merely a copy of the acts 37 and 38 Geo. III., and the object of which was to afford to the public, and those who might be aggrieved by anonymous libellers, the means of discovering the proprietors, editors, and printers of newspapers, and other publications.

The purport of the present regulation, which is the same as that passed at Calcutta, is to prohibit the publication of any newspaper, or other periodical work, by any person not licensed by the Governor and Council, and to make such licence revocable at the pleasure of the Governor and Council.

It is quite clear, on the mere enunciation, that this regulation imposes a restriction upon the liberty of the subject, which nothing but circumstances and the state of society can justify. The British Legislature has gone to a great extent at different times, both in England and Ireland, in prohibiting what is lawful in itself, lest it should be used for unlawful purposes, but never without its appearing to the satisfaction of the Legislature that it was rendered necessary by the state of the country.

It is on this ground of expediency and necessity, on account of the abuses (as stated) of the Press at Calcutta, from the state of affairs there, and from the exigency of the case, that the Calcutta regulation is maintained by its very preamble; by three of the four reasons of the Court of Directors, upon the appeal; and by the whole of the argument of counsel upon the hearing of it.

Thus, the preamble to the Calcutta regulation is—

‘Whereas matters tending to bring the Government of this country, as by law established, into hatred and contempt, and to disturb the peace, harmony, and good order of society, have of late been frequently printed and circulated in newspapers, and other papers published in Calcutta; for the prevention whereof, it is deemed expedient to regulate by law, the printing and publication within the settlement of Fort William, in Bengal, of newspapers and of all magazines, registers, pamphlets, and other printed books and papers, in any language or *character*, published periodically, containing or purporting to contain public news, and intelligence or strictures on the acts, measures, and proceedings of Government, or any political events or transactions whatsoever.’

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The reasons of the East India Company embrace the same facts and the consequent expediency and necessity of the regulation.

The first reason commences—

‘ Because the said rule, ordinance, and regulation, was made by competent authority, and was rendered necessary by the abuses to which the unrestrained liberty of printing had given rise in Calcutta. The preamble of the said rule, ordinance, and regulation, states, that matters tending to bring the Government of Bengal, as by law established, into hatred and contempt, and to disturb the peace, harmony, and good order of society, had recently, before the making thereof, been printed and circulated in newspapers, and other papers published in Calcutta.’

Again, in the second reason—

‘ That the restrictions imposed by the rule, ordinance, and regulation, which is the subject of appeal, were called for by the state of affairs in the settlement of Bengal, and were adapted to the exigency of the case.’

Again, in the fourth reason—

‘ The reasonableness of ordinances must depend upon the circumstances and situation of the country to which they are applied.’

I need not go through the addresses of counsel to show that the whole of their arguments in favour of this regulation are founded upon the fact, as stated in the preamble, of their expediency and necessity from the local circumstances and the exigency of the state of affairs at Calcutta; and I respectfully presume that his Majesty in Council approved of the regulation for the same reasons, no others having been urged, and, in particular, upon the ground that the preamble of the regulation reciting such exigency was not traversable or questionable.

But what is the preamble to the regulation which is now proposed to be registered in the Supreme Court at Bombay? Is there any recital of matters ‘ tending to bring the Government of this country, as by law established, into hatred and contempt, having been printed and circulated in newspapers and other papers published in Bombay ’? Nothing of the kind,—the preamble merely recites, that a certain regulation had been passed in Calcutta for the prevention of the publication of such matters. Is it the fact that such matters have been published in the Bombay papers? Can a single passage, or a single word, ‘ tending to bring the Government of Bombay into hatred and contempt ’; can a single stricture, or comment, or word, respecting any of the measures of Government, be pointed out in any Bombay paper?

How, then, without such necessity as is stated in the preamble to the Calcutta regulation, can it be expected that, even were the Supreme Court to consent to register it, and an appeal were preferred, it would be confirmed by his Majesty in Council?—where would be the reasons of the Court of Directors in favour of it?—where would be the arguments of counsel in support of it?

Suppose an Act of Parliament passed to suspend the Habeas Corpus Act in Ireland, on account of treasonable practices in that country; in such case, evidence of such practices would be laid before Committees of the two Houses of Parliament before the Act was passed, and the Act would also recite them, as the Calcutta regulation recites the evils which it was intended to remedy. But would the fact of such Act having been passed for Ireland justify a motion to extend it also to England, without any evidence of any such treasonable practices, nay, when it was well known that there were no such, or any circumstances to call for it, and with a mere recital of the Habeas Corpus Act having been suspended in Ireland, as the present proposed regulation merely recites, that the same regulation had been passed at Calcutta?

I am of opinion that this proposed regulation should not be registered.

Judgment of Mr. Justice Rice.

I have read the case of the press of India before the King in Council; but still I think the clause as to the change in the proposed rule, is repugnant to the law of England,—and that policy did not, and does not require it. It is argued, I think, too much as if the Natives had been at all affected by the licentiousness of the press; the mischief in Calcutta was wholly, I think, confined to the English, and would, I am persuaded, have remedied itself.

Considering, as I do, that the liberties of England are part of the law of the land, and that they depend on the freedom of the Press, I cannot conceive how a license, which is to stop its mouth and stifle its voice, can be consistent with, and not repugnant to, the law of England.

Though I entertain this opinion, I shall not object to the registry, because, as regards the repugnancy, I defer to the appellate authority, as I should on any point of law which they had decided contrary to my judgment; and with regard to the policy and the expediency, I do not think the Legislature intended to leave them so much to the consideration of the Court as to the Government; which ought to be the better judge of such subjects, and which must now be presumed to have formed a proper judgment. It is not desirable that the judicial should ever be mixed with the executive, or combined with the legislative; and Parliament having legislated so much for British India, it is a pity, I think, that a question of such vital importance, with analogy to England, should not have emanated in, and had the sanction of, Parliament.

I feel further justified in acquiescing in the registry, (now that I have stated publicly my opinion,) because the decision of the Council must be known to Parliament, and if Parliament should object, it was easy to propose a bill to limit and more accurately define the local authority; and when one considers of whom the Privy

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Council consists, and who were the advocates for Mr. Buckingham,---men all eminent in Parliament as well as the profession,---one cannot avoid feeling, that ulterior measures would have been adopted in England, if the opinion which I unhappily entertain, as to the repugnancy and the necessity of this rule, had been current and general.

Judgment of Mr. Justice Chambers.

In order to explain clearly the grounds of my opinion on the present occasion, I think it necessary to advert in a cursory way to the circumstances under which this regulation is presented to us. In consequence of the recent decision of the Privy Council against Mr. Buckingham's appeal, it has, I believe, been recommended by the Court of Directors to the local Governments of Bombay and Madras, to propose that the Bengal regulation regarding the Press, should, *totidem verbis*, be registered, and become a part of the local law of each of these presidencies, and the Government of Bombay so far acquiesce in the views of the Court of Directors, as to propose it for our registration, according to their recommendation. It appears to have been thought, that the decision in that particular case is tantamount to a legislative declaration, that the same, or similar regulations, are so consonant with the general policy of the Indian Government, that they need but to be proposed in order to be adopted. If, indeed, that decision bore in any way directly upon the general question of the expediency of such regulations, there is no man in the situation of a Judge, who would not feel great deference for such authority. But, unless it could be shown, that such a decision bound us with the force of an act of parliament, even then, I conceive, a Judge would, on the present occasion, feel it to be his duty to consider *de novo* the general principles, and exercise most conscientiously the discretion the Legislature had vested in him. But when grounds may readily be suggested for that decision, wide of the principle upon which we are called upon, prospectively, to consider the expediency of the present regulation, I am at a loss to imagine what necessary and immediate connection there is between the decision of the Privy Council, and the proposal of it for our adoption. The decision of the Privy Council, stripped as it is of all the grounds upon which it was formed, presents to my mind merely a confirmation, retrospectively, of a solemn act of the Supreme Government in Bengal, in conjunction with the Supreme Court, upon a subject-matter expressly within their authority, under circumstances which, if true, might justify that act, and of the truth of which circumstances, they alone were the competent judges. What bearing or what material influence can such a decision have on our minds, who are called upon at another place, under totally different circumstances, to consider, prospectively, the expediency of introducing the same regulation, not as a remedy for any existing or imminent evil, but as a general and permanent act

of legislation? The preamble, it may be said, was not proved, nor required to be proved, to be true before the Council; but that I conceive could no more be done, than the Court of King's Bench could require the proof of any special finding of a Jury on a special case brought before them; and it does not therefore follow, that the preamble is mere waste paper, and unnecessary to form a ground-work for such restrictive regulations.

All such regulations being confessedly restrictive of natural liberty, to a much greater extent than it has ever been thought necessary to carry matters in our own country, (I mean in the best time, or in the way of permanent enactment,) whatever distinctions may be made by the terms *contra legem* and *preter legem*, to common understandings they are as much opposed to the ordinary notions of English law, as light is to darkness; and necessity alone, and that of a very obvious and permanent kind, can justify, in my judgment, their registration. In all such cases of imperfect definition of legal rights, it is impossible not to see that the situation of the different places may require different legislative enactments, and what may be necessary at one place, may be perfectly superfluous at another. In the same way, even in the same place, it may be premature to introduce strong measures at one time, which, at a ripper period of society, may be deemed highly beneficial. There is no subject, indeed, the consideration of which is acknowledged to require a sounder discretion with reference to local circumstances, or in which local circumstances have so direct an operation, in determining the legality or illegality of particular measures. In every separate jurisdiction, therefore, it must be matter purely of discretion, how far and when it is expedient to introduce restrictive regulations of this nature.

Without, therefore, considering very minutely the particular tendency of the regulation proposed, although I have no hesitation in saying, that if registered, its general tendency would, in my opinion, be most prejudicial to the independence and good spirit of the community; with respect to the necessity of introducing any such regulation at all at the present moment, I conceive there cannot be two opinions. In a time of perfect tranquillity—with a small community of Europeans, and a Native population submissive even to servility—the only effect would be imposing new shackles to restrain no evil, and, by leading to by-paths of favour and influence, to create perhaps a greater practical evil than any it can ever obviate. Indeed, nothing can exhibit in a stronger light the difference of circumstances in which this presidency is placed, than the total omission of the preamble of the Bengal regulation in that now presented to the Court for registration: a preamble, the conviction of the truth of which would alone induce me to countenance any such measure. Nothing more is necessary to show how perfectly inapplicable the state of things here is to such

restrictive measures than the perusal of that preamble; not one word of which has, or is likely to have, I trust, for a long period of time, any force as applied to this presidency. The disposition and character of the people is not the greatest difference of circumstances to be attended to; the weighty and important difference between the situation of the two places consists in the enactment at this presidency of an intermediate set of regulations, in conformity with the well-known Act of the 37th Geo. III., which were registered in the course of the last year, by which, in my humble judgment, every rational object of Government is attained, consistently with perfect liberty, both social and particular. When it shall be shown by experience, that this Court, administering a law which has been found completely effectual in England to restrain licentiousness, and, during a period of thirty years, has operated on society with the most beneficial effect, and has found no revilers even amongst those whom it has brought to justice, shall be found not sufficient to ensure peace and order in society, and stability to the Government, it will be then time enough to listen to suggestions which I consider so objectionable in principle as this regulation.

It seems to have been argued that the only question for the Judges to consider is, whether the regulations proposed are, or are not, repugnant to the existing mode of governing British India? It is true, that in this mode of arguing, scarcely any regulations would be inconsistent with law, which fell short of unlimited and arbitrary power. But upon the principle which I have before stated, namely, that legality or illegality, as applied to such a subject, depends entirely upon the apparent necessity of the case, I conceive that the full legislative discretion which the Parliament of Great Britain exercises in all cases affecting the liberty of the subject, is intended to be delegated to the Judges of this Court, in conjunction with the Government, in registering and making local regulations, restrictive of the usual and ordinary rights of individuals. In the exercise of such a discretion, I am of opinion, that ten thousand deviations from the law of England, in particular cases, would form no argument for adding one more to the catalogue, nor would the circumstance of so many previous anomalies make one fresh one consistent with it.

Another argument which has been used had some influence with me. The effect of the actual state of things has been forcibly represented with regard to British subjects residing in India with or without license; the principles of Government of the British and Native population without the limits of the seat of Government are also stated; and then it is asked, whether the small portion of the Native population residing in Calcutta, or the other presidencies, were intended to be governed in a different manner? To which I answer, that by the establishment of the Supreme Courts at the

presidencies, I conceive that it was the intention of the Legislature that both British and Native inhabitants, within the ordinary limits of the presidencies and the jurisdiction of these Courts, should enjoy the full benefit of English law, and consequently should be governed in a different manner from those in the provinces. It may be said, that the power of sending British subjects home extends to those residing in the presidencies as well as to others; but it must be remarked, that this power, as it has been exercised over the press, has probably never been in the contemplation of the Legislature at all. It is a consequence of the discretionary power vested in the Government for general purposes, and the particular acts of the Government regarding the press have been confirmed by the courts of law; because it would be difficult for any mind to form a distinction between this and other cases in which individuals became obnoxious to the Government. But whether this, or any other Government, under existing circumstances, would deem it expedient to frame any regulation relating to British subjects, restrictive of the press, (nakedly considered,) is another question, and which is deserving very serious consideration. Both in Bengal and elsewhere, it has been thrown out, that nothing short of the present proposed regulation would be effectual to restrain even British subjects from writing inflammatory publications. Because, if the editor and proprietors were all Asiatics, and could be indemnified from the consequences of prosecution, British subjects might, under their names, write and publish things offensive to the ruling power. Whenever the period shall come when such a state of things is possible, and when all legal modes of repressing the evil shall have been tried, and tried in vain, it will be time enough to attach some weight to any argument which may be derived from such a source. Till that time arrives, I am of opinion that the proposed regulation is not expedient, and I decline giving my voice in favour of its being registered.

JUDGMENT OF THE COURT—REGULATION DISALLOWED.

NOTE.

We did not intend adding a word to the luminous and unanswerable arguments of the learned Judges whose opinions we have here put on record. But when even the Judge who advises the registration of the proposed regulation from professed deference to the high authority of the Privy-Council, but, in reality, from a wish to strengthen the hands of the Government under which he lives,—when even such a Judge admits that the mischiefs with which the freedom of the Press in India was pretended to be fraught to the Natives, had no existence but in the imagination,—that the effects of discussion were confined entirely to the English, and would have easily remedied itself,—when such a Judge adds also, that the liberties of England are a part of the law of the land,—that these liberties depend for their very existence on the freedom of the Press;

and that it is impossible to conceive how a regulation, which goes to stop its mouth and stifle its voice, can be consistent with, and not repugnant to, the laws of England,—when such a Judge, we say, admits all this, we think the right honourable and most learned the members of his Majesty's Privy-Council, as well as their learned and liberal advocates, would blush, if blushes ever tinge such learned and noble cheeks, to be outdone in legal knowledge by their humblest admirer and slave,—by one who would bow to their high doctrine even when knowing it to be wrong,—but who, though feeling it no degradation to be entirely subservient to their *authority*, is yet so thoroughly ashamed of their *ignorance* as statesmen and lawyers, that he saves himself from being associated with them in that disgrace at least, by proclaiming to the world, that whatever his Majesty's most honourable Privy-Councillors and the learned advocates of the East India Company may *pretend* to pass off as good English law upon their deluded fellow-countrymen in India, and, it may be said, upon England and its *Parliament* also, (for where has been the voice raised against this iniquitous decision except our own ?)—even *he*, Sir Ralph Rice, knows better than this ; and will not suffer his name, humble as it is, to go down to posterity with the stigma of such ignorance attached to it, as that of declaring a regulation, more tyrannous than any decree of the Star Chamber, not repugnant to the law of England ! Let the Privy-Councillors of his Majesty look to it. There *are* Judges, and statesmen too, who, could they arise from their graves, would do much to wipe away the stains that still remain upon their reputation for acts from which their names can never be separated. It is well, however, for those who have not yet descended into that awful receptacle of all, that they have yet time to see whether they cannot, before it be too late, redeem the errors, and wash away the stains, which posterity will otherwise stamp with their just reprobation.

May all who have ever put their hands to this work of oppression, repent them of their misdeeds ere repentance is impossible ! and may God speed them in their holy task, till reparation be complete !

S O N N E T.

Written in South Africa.

O, CAPE of storms ! although thy front be dark,
And bleak thy naked cliffs and cheerless vales,
And perilous thy fierce and faithless gales
To staunchest mariner and stoutest bark ;
And, though along thy coasts with grief I mark
The servile and the slave,—with him who wails
An exile's lot,—and blush to hear thy tales
Of sin and sorrow, and oppression stark :—
Yet, spite of physical and moral ill,
And, after all I've seen and suffer'd here,
There are strong links that bind me to thee still,
And render even thy rocks and deserts dear :
Here dwell kind hearts, which time nor place can chill,
Loved kindred, and congenial friends sincere.

THE EXILE.*

CRITICS, we apprehend, must always experience much more pleasure in praising than in condemning books, at least such is our case, just as a humane judge, deciding on the life of a fellow-creature, is more delighted to dismiss an innocent man to the enjoyment of life and liberty, than to pass, in obedience to the law, the fatal sentence on a criminal. It happens, however, that the professed critic, as well as the judge, has oftener to condemn than acquit, because the pretenders to excellence, the candidates for fame, are much more numerous than the real possessors of genius.

‘ Both those who cannot write, and those who can,
All rhyme, and scrawl, and scribble, to a man.’

Of course every one believes in his own case that praise is due, and when by chance the critic is of a different opinion, imputes the circumstance to his malignity or his dulness. It cannot indeed be objected to our contemporaries in general that they pass severe judgments on authors, or discourage merit by cold praise; on the contrary, the weekly and monthly oracles of taste, with a liberality excited apparently by compassion, indulge habitually in earnest commendation. Every day they ferry over some new genius into the land of the living, reversing Charon’s acts, who conveys ghosts the other way. To be sure the beings they thus usher into existence soon pass away, and the places that knew them, quickly know them no more for ever. Nevertheless, the booksellers and authors enjoy a mushroom renown, and eat in thankfulness the bread provided for them by these jackals of the press.

In all probability the ‘Exile’ will command very little notice from the periodicals; it is a simple story, and has not, that we know of, been *puffed*. Notwithstanding, it is a work of much merit, containing a tale of pathos, narrated in sounding versification, generally chaste, and distinguished for abrupt vigour, mingling occasionally with peculiar smoothness. The sentiments are full of tenderness and delicacy. No impure thought, no prurient allusion, no Janus-faced expression, moulded to convey voluptuous images, while escaping censure: nothing, we say, of this kind disgraces the poem. The love depicted (for *love* has a hand in the story) is of that gentle species which usually springs in young and amiable bosoms, and flows uninterruptedly in an honourable channel. It has of course nothing of the piquant mystery which gives flavour to vicious pas-

* The Exile; a poem. By Robert Haldane Rattray, Esq. The third Edition. London, printed from the Calcutta second edition, 1826.

Oriental Herald, Vol. 12.

sion, and tortures the reader with unlawful sympathy, or, perhaps, with a doubt whether the hero about whom he is so much interested ought not, after all, to be sent to the hulks or hanged. Far from it. The lovers here are deprived of the usual torture inflicted on them by novel-manufacturers,—the rigour of parents,—and owe all their miseries to fate, or, rather, to the conflicting and opposing elements. Embarked in one ship, their intercourse is more than commonly free; dining at the same table, walking the same deck, viewing and comparing daily the same objects, visiting, when they touch land on the way, the same scenes, and, more than all, sharing that sense of danger which all who trust themselves to the ocean and the winds must feel more or less acutely, they naturally draw the links of affection as close as possible. The author has made the voyage he describes so well, and, perhaps, felt what he delineates. At all events his picture of the opening loves of his heroes and their mistresses, who, born on the same spot, were hastening to seal their attachments at the altar in a distant land, is full of tenderness and delicacy, and rendered doubly touching by the intimations the reader receives that they are indulging their dreams of happiness on the very brink of fate. One chief merit of the book consists in this, that the actors in the scene, with whom we are called upon to sympathize, appear not, like many modern poetical personages, to have made up their minds, from the beginning, to be miserable; no fearful forebodings, causelessly entertained, disturb their felicity; no dreams or demons whisper in their ears that death is digging a pit for them; they feed without stint or limit on delightful hopes; and when the tempest comes on, and the prospect darkens, slowly and unwillingly do they admit the suggestions of despair. The storm increases, the ship is shattered, the masts are blown overboard with many of the crew, the hulk becomes unmanageable, and night and darkness add fresh horrors to the roaring of the winds and the fearful tossing and boiling of the waves; but still no one gives up all hope until the tempest carries along the unmanageable wreck, and dashes it to pieces against lofty overhanging cliffs. One fearful shriek then proclaims the extinction of hope, and from the silence of the next moment we learn that life has not survived it.

As the story is founded on the relation of an actual shipwreck, which happened in the same place and under the same circumstances described in the poem, we shall copy the account of it which appeared, some years ago, under the head of "Naval Intelligence," in one of the Hampshire papers:

'In a gale of wind, on the 29th of August last, the *Alhol*, a ship of eight hundred tons, bound to the East Indies, was wrecked under Cape Hanglip, on the southern coast of Africa, and every soul on board, but one, perished.

'This, taken altogether, is perhaps the most melancholy incident of the kind it has ever been our lot to record. The Commander of the vessel had two daughters with him, both lovely young women, who were proceeding to a rela-

tive in India, where they were to be united to two of their shipmates, one of whom is the unhappy survivor of the wreck.

'It appears that the ship left the Motherbank on the 14th of May, and reached Madeira on the 27th of the same month; and that, after remaining some days longer than was intended, in the hope of the wind, which had shifted, again becoming fair, they finally sailed from the island on the 9th of June. Baffling variable weather attended them to latitude $33^{\circ} 28'$ S. longitude $17^{\circ} 40'$ E. when a tremendous gale set in from the northward. The ship, at the very commencement of it, was thrown upon her beam-ends, but righted, upon the mizen-mast being cut away: with the additional loss, however, of her fore-topmast and all her boats. After scudding for about seven hours, the wind shifted to the westward; and in about four more, with additional fury, to the southward; when, being taken aback, the mainmast went over the quarter, carrying twelve hands with it: the foresail soon after blew from the yard. This was about midnight; within half an hour after which the lightning showed a mountainous coast ahead. The ship, totally unmanageable, was soon among the breakers, and in a few minutes more was gone.—The sole survivor was discovered on the shore on the following morning, in a state that excited the liveliest sympathy of those whose timely aid restored him to existence; nothing, however, could induce him to quit that part of the coast for many weeks afterwards.'

The author adds:—'He subsequently left the Cape of Good Hope for his original destination; soon after his arrival at which, he is supposed to have written the following poem, descriptive of the ill-fated voyage.'

To this outline, the author adheres entirely, but in imagining the details, he has of course to depend solely on his own fancy. Perhaps putting the whole relation in the mouth of the unhappy survivor of the wreck, was an unfortunate contrivance, as, to preserve consistently his character, nothing very cheerful and enlivening could be supposed to emanate from his pen. Accordingly, though the writer dwells frequently on the happiness and innocent gaiety which he and his youthful companions tasted in their homes, yet, during the greater part of the voyage, he dwells on it merely to enhance his present misery by painful contrast. Our conception, however, of a story of this kind is, that, with a very slight reference to the conclusion, barely sufficient to arouse the attention, the poet should describe events as they occur, without adverting continually to their distant termination. Some poets embark their heroes on circumstances as sure to lead to a fatal result, as a ship, with a thousand holes bored in its bottom, would be to sink in the ocean. But this, we conceive, deprives the reader of the chief pleasure of listening to a tale, the pleasure of exercising his curiosity in conjecturing the catastrophe. 'Tis true we may wish to know in what frame of mind they meet their fate, what resources their genius discovers in the hope of warding off the arrows of death, how they struggle, pant, faint, and fall beneath the stroke of destiny; but this curiosity is not half so powerful as that which arises from utter uncertainty, and, is em-

ployed in weighing the chances of good and evil fortune. Besides, it is not in human nature to delight in dwelling on sameness, be it in itself painful or pleasurable; we get tired of "milk and honey," and therefore cannot, in conscience, be expected to sip with eternal complacency a decoction of wormwood and gall. Poets should credit this truth, for in reality there is no penance so irksome as being compelled to lend our ears to everlasting "Jeremiads," as if our eyes were made for no earthly purpose but to shed tears, like tropical clouds in the monsoons. Let us have occasionally a little sunshine, were it only to help us to discover the causes of our unspeakable interminable grief. We petition not for tragi-comedy in the *Don Juan* style, though even that is infinitely more agreeable than a serious metrical enumeration of the miseries of human life; but for such a picture of events as nature daily holds up for our contemplation. But, to return to the 'Exile.'

Let the reader imagine the ship, with its impassioned inmates, already on the ocean; at intervals thinking, as feeling bosoms think, on the home and friends they have quitted, peradventure for ever! And again letting loose their hopes and fears upon the future, almost always bright when viewed from the heights of youth. Among them, for the sake of variety, for he takes no further part in the poem, a youthful Musulman is introduced, and the stanzas he sings on the moonlight deck are, perhaps, the finest lines in the whole poem:

' High on the poop, distinguish'd from the rest
By Moslem features, and his country's vest,
A son of Asia stood. An active grace
Mark'd his light form, and stamp'd his ardent face
As forward to the splendid orb he bent,
And gave the fervour of the moment vent :
By love and superstition doubly bound—
The ready minstrel of the scene around :

" B'ism'illah !—Yes, 'tis Ullah's hand
Leads Jæffer to his native land !—
I like the omen of the night ;
Yon sky declares his favour won ;
The voyage must finish in delight,
With such fair auspices begun !
Ullah, protect !—His will be done !

Already, Idya, I descry
The welcome of thy speaking eye !
If with a breeze like this we 're bless'd,
If, aiding thus, the billows roll.
Soon shall these lips to thine be press'd,
Soon shall I clasp thee to my soul !
Ullah, the changing winds control !

The Christian's land is passing fair,
 And beauty's warmest glow is there ;
 But, ah ! I miss the lowly shore—
 The palm that rises from the wave,
 Where Gunga's streams their treasures pour—
 Those streams that Idya's village lave.
 Ullah ! preserve her to thy slave !
 Preserve her !—oh ! thy slave away,
 Give not to Death so rich a prey !
*But—if thy word hath will'd it so,
 And Jaffer's love hath ceased to live ;
 Command impeding minds to blow,
 And let him still on hope survive !
 Ullah, 'tis all thou, then, canst give !*

The extreme ingenuity and beauty of the last few lines, printed in italics, must strike, we imagine, the fancy of every reader.

The dawn, and gradual unfolding of love, in the breasts of the *dramatis personæ*, are thus described :

' Fair blew the breeze : and soon each brighter day
 Brought some new charm to soothe regret away :
 Alone—an atom mid the ocean's foam—
 The ship, to many, seem'd again that home
 From which 'twere sad to part ; and many a breast,
 In secret, untold happiness confess'd,
 That Vecta's bowers had never lent such dear,
 Such happy hours, as now were given there.
 Scarce to themselves was own'd the welcome shown
 To thoughts, so cherish'd now—till now unknown.'

In the following agreeable lines, the poet relates their approach to Madeira, and introduces a very pleasing allusion to the story of Lionel Machin and Arabella D'Arcy, who, themselves victims of love, in the reign of Edward III., escaped to sea from their powerful persecutors, and were driven to this island, till then undiscovered, by a storm.*

' Is it a cloud that, yonder, meets the eye,
 And marks the distance of the southern sky ?
 While those that float around new shapes assume,
 Dissolve to ether, or condense to gloom ;
 Mould to fantastic forms, and onward roll,
 As if they hasten'd to some unseen goal ;
 That fix'd remains—the far horizon's bound—
 Alone unmoved of all that's seen around ;
 Unalter'd stands ;—and yet, its airy blue—
 Or is it fancy ? wears a deeper hue.

* See the story at length in a small book published in 1750, and entitled, 'An Account of Madeira,'

The thread of light that gilds its sunward ledge
 Betrays a more defined, a harsher edge,
 Than forms ethereal yield: the darken'd rear
 Densely recedes; abrupter points appear
 Than unsubstantial vapour's wont to wear.

'It is Love's chance-found isle! I know it now!
 I know the white speck studding yonder brow!
 I know the holy shades that round it grow,
 And shield it from the busy world below!
 That world's haunt, glittering to its summer sky,
 Already gives its image to the eye:
 Again I see it, and with equal pride,
 Dancing in mimic splendour on the tide!
 Gazing above—Devotion fills mine ear
 With all the soothing melody of prayer:
 Below—the fancied sounds of worldly scenes
 Annul the distance that still intervenes.
 Swift through the sparkling wave the vessel flies,
 Her loftiest honours quivering in the skies;
 Yet swifter still the untired God of day
 Urges his flaming couriers on their way;
 And, ere her wings can gain the sheltering strand,
 Seeks, through Atlantic waves, another land.
 The highest peak has lost his last faint smile;
 The west has ceased to blush; the soften'd isle—
 The mountain's rocky height—the vine-clad shore—
 Involved in equal shade, are seen no more.'

* * * * *

'O'er the throng'd side, with new delight, they lean,
 In admiration at the novel scene.
 It seem'd the fire-fly brood had left its nest;
 Or fairy revels had the ocean dress'd.
 The town's faint murmur, or a convent's bell,
 Alone dissolved the charm, and broke the spell:
 Each object still unseen, 'twas sound alone
 Betray'd their source, and told from whence they shone.

'Night's veil withdrawn, the morn, soft, mild, serene,
 Gave sweetly to the eye the opening scene:
 The mist, slow rising from the sea below,
 With fleecy whiteness clothed the mountain's brow;
 Whose higher ridges, tapering to the sky,
 In every form of wildest fantasy,
 Emerged, like rocky islets, from the plain
 That clung around them, like a second main.'

From these delightful scenes the poet, however, soon hurries his victims, to expose them to all the horrors of the stormy Cape, and an ocean vexed to madness by conflicting tempests. There can now be no novelty in descriptions of storms, either on land or sea, except what arises from metaphor and comparison; and it would

be beyond the truth to say that the author of the 'Exile' has added any thing to the stock of poetical imagery appropriated to the ocean and its circumstances. But there is a good deal of force and vigour, notwithstanding, in the description he gives of the ship whirled along, like a bubble, by the irresistible fury of the hurricane. The still gloom, also, which sometimes broods upon tropical seas on the eve of a storm, is placed before the imagination with considerable power :

'The breeze was hush'd, and o'er the heaving sea,
Collecting vapours floated heavily ;
The sun look'd palely through the murky air
Along the waves, but shade alone was there ;
A sunk, contracted sky, of ashy hue,
A dismal gloom upon the waters threw :
'Twas mid-day, but, so lower'd the silent vast,
It seem'd as even's latest hour were past ;
And that the taunted moon opposed in vain
The envious clouds that dimm'd her troubled reign.'

Then come the more unequivocal signs of tempest :

'What speechless dread
Creeps o'er each frame, as, closing fast, the cause
Appals each sense, and ends the horrid pause !
It seem'd as if Destruction held its breath,
To gather fury for the blast of death.
'O'er all the northern vast, the lurid sky
Enshrouds itself in black, as if, on high,
A pall were hung from Heaven's canopy.
Pale, sitting lightnings ope, beyond the gloom,
A drear perspective, which they half illumine
With livid streams, that through the concave stray,
And chaos, hurtling in the void, display ;
A surgy fringe of agitated light,
Fuming below, intrals the aching sight ;
While from the thundering roar which strikes the ear,
Hearts that had never shrunk, recoil with fear :
The very sea-birds o'er the darken'd waste,
Scream'd forth their terrors, and to leeward haste.'

The ocean, like the land, has its local superstitions. On some shores, shipwrecks are preceded by apparitions, or airy models of the fated vessel and her crew, which drift in before the wind, and pre-act the tragical catastrophe. On others, mermaids sit, combing their long hair, and showing the devoted mariner his fate in their enchanted mirrors. Beyond the Cape, the ghost, it seems, of some drowned Dutchman and of his ship, scour along the coast of Africa before a storm. "At the dead of night," says Mr. Rattray, "the luminous form of a ship glides rapidly along, with a press of sail set, and generally straight in the wind's eye." This

spectre-ship is denominated, "The Flying Dutchman." Leyden, in his 'Scenes of Infancy,' makes it the spectre of the first slave-ship.

'Still doom'd by fate, on weltering billows roll'd,
 Along the deep their restless course to hold,
 Scenting the storm, the shadowy sailors guide
 The prow, with sails opposed to wind and tide;
 The spectre-ship, in livid glimpsing light,
 Glaves baleful on the shuddering watch at night,
 Unblest of God and man!—Till time shall end,
 Its view strange horror to the storm shall lend.'

The author's own description of the appearance of this spectre-ship is well worth extracting:

'Why opes the distance through the shades of night?
 What phantom rises on the doubting sight?
 What daring ship, with loose expanded sail,
 Bounds o'er the waves, regardless of the gale?
 Whence flows the paly lustre o'er her shed,
 Amid the livid darkness round her spread?
 Why throbs the heart—why thus the blood congeals?
 What means the nameless dread the bosom feels?
 Why gaze the crew with asking wonder round,
 Their eyeballs straining through the black profound?
 No mortal fabric this!—Yes—I have heard
 That, when, on Afric's shore, the deep is stirr'd,
 The spectres of its former victims prowl,
 And add their wailings to the tempest's howl.
 Methinks 't was said that, when these forms appear,
 It warn'd the mariner his hour was near.
 That voice—oh, cease, ye winds! abate your roar!—
 Falls on the ear in accents heard before:
 'Palemon!—Hush!—Again, 'Palemon!—How?
 Why bends Aurora's figure o'er the prow?—
 It is Anon's spirit!—from the dead
 To earth arisen!—Where's the vision fled?
 'Tis gone—the spell's dissolved—but still the eye
 Seeks the strange horror through vacuity.'

From this moment, nothing occurs but horrors, which, after protracted agony, end in the death of the whole crew, but one. Nothing more distressing than such a tale can well be imagined; but so much misery, agony, horror, despair, is not calculated to appear to advantage in poetry. It forms a picture too dark to be interesting. Nevertheless, Mr. Rattray, in telling this melancholy tale, has displayed, as we have already said, considerable powers of description, and many very delicate touches of nature. His faults are a want of distinctness, and the capacity to depict character, faults which he possesses in common with some of the most eminent of our contemporaries.

THE CAFFER FRONTIER.

No. II.

ONE of the many abuses which at this time prevailed on the frontier, was the growing of green forage for the cavalry horses by the officers who had obtained grants of land from Government. These grants were generally in the vicinity of Graham's Town, and were cultivated for the officers by the soldiers under their command when off duty; and this service was generally obtained for trifling wages, or for spirits served out to them from the Commissariat stores. In this manner, Colonel Scott, Major Somerset, and several others, raised large crops of forage at a cheap rate, and were able to undersell the settlers in the Government market; or when the produce of both was engaged to be taken by the Commissariat, a most marked preference was given to the military farmers, while the crops of the unfortunate settlers were often allowed to stand till they were unfit for use. This was the more cruel and unjust, because, at this very time, the settlers were suffering most severely from the entire failure of their wheat crops for three successive seasons, and had no other produce to bring to market. Yet when some of them complained to Lord Charles Somerset on this point, in place of affording redress, he replied, that "the officers had as good a right to make the best of their lands as any other persons." Nothing could be more preposterous than this; for, in point of right, the officers ought not to have had any lands granted to them at all; and how could it be expected that the settlers could compete with them while obliged to pay four or five shillings a day for common labourers, while the lands of the officers were cultivated by the soldiers at scarcely any expense? Indeed, so obvious was this abuse, that Mr. Hewetson, the present head of the Commissariat Department in Cape Town, who had then just arrived in the colony, expressed to the writer of this paper his unqualified disapprobation of the practice of officers growing forage for sale, and his great desire to put a stop to the abuse in order to relieve the settlers. Yet the same system was continued, and defended by the Governor. If it be urged that sufficient forage could not otherwise be procured, I maintain (upon undoubted evidence) that though this might have been the case before the arrival of the settlers, no such deficiency could have existed afterwards, had not the preference given to the officers operated as a powerful cause to prevent the settlers from cultivating this sort of produce to a much greater extent than they did. Even so late as Dec. 1824, Mr. Rivers, the landdrost, had the contract for the whole supply of forage for the troops; and by his command of cheap labour, &c. was able to keep the settlers entirely

out of the market, and in this odious monopoly he was supported by the Colonial Government.

In connection with this it may be noticed, in passing, that Major Somerset, not satisfied with the profits of his green-forage farm at Graham's Town, likewise contrived to get his green crops at Simon's Town advantageously disposed of in a similar manner.

At the time Major Somerset obtained his majority in 1823, and was appointed by his father to the chief command on the frontier, he was Government Resident at Simon's Town; and being obliged to go down to the frontier, to assume the command, he was somewhat puzzled how to dispose of the crops of barley and oats which he had sown on the land belonging to the Residency. It was the winter season, and he could neither use nor sell this forage. But fortunately for him it had been arranged that the cavalry horses for two new troops of the Cape corps should be recruited at Cape Town;* and the expedient was hit upon to send all the recruit horses to Simon's Town to eat up the young Major's forage. An advertisement appeared in the Government Gazette of the 26th of July (dated July 22d,) for tenders to supply green forage, to begin the 2d of August, at Simon's Town. At such a place and period of the year there was no great danger of rivalry. Major Somerset's *gardener* accordingly obtained the contract without opposition; the whole of the Major's immature crops were consumed, and the commissariat was charged with 136,500 lbs. of this precious forage, which in fact was never weighed, and which was delivered for the use of the horses by the Government carts. Major Somerset by this job pocketed 1400 rix-dollars. Whether it was equally advantageous to the *horses* to be thus stuffed with washy green fodder just before they set off to the frontier, (a journey of more than 600 miles,) may well be doubted.

* The mode in which this recruiting was conducted was quite of a piece with the other transactions connected with the reduction and re-establishment of the Cape regiment. The horses were purchased at Cape Town, where prices are nearly 100 per cent. higher than in the interior. The price allowed was 200 rix-dollars; and the horses were examined and selected by Lord Charles and his son, the Major, in person. Lieutenant Proctor, a great horse jobber, and particular friend of the Governor's, (he has received three or four valuable grants of land, besides loans and other favours,) had the honour of supplying a great proportion of these horses. The advantages possessed by Proctor in these transactions may be judged from the following instance. In July 1823, Hendrick Niekerk brought upwards of thirty horses for sale for the new troops, pursuant to Government advertisements. Lord Charles and his son inspected them at Vischershoek, a few miles from Cape Town, and rejected the whole, except four, as unfit for the service. Niekerk went immediately and sold the rejected horses to Proctor at a reduced price; and a few days afterwards Proctor brought them to the barracks in Cape Town, where Lord Charles met him, and purchased *the whole without exception*, at 200 rix-dollars per head. The particulars of this transaction were stated to me by Niekerk himself.

The following anecdote may help to illustrate the fitness of Major Somerset for the important command of the Caffer frontier. A distinguished naval officer, who had just arrived in Simon's Bay, met Major Somerset at the house of the late respected Commodore Nourse, and, in the course of conversation, inquired what means the Colonial Government were taking to civilize the Caffers? "The Caffers!" exclaimed the dashing Major, "powder and ball, by G—d, are the only means to civilize the Caffers!" "Good God! what a sentiment," replied the stranger; "whether, then, are they or you the greater savages?"

When the reader has perused the remainder of this narrative of frontier transactions, (which I now resume,) let him ask himself the same question.

The system pursued towards the Caffers, of alternate negligence and indiscriminate severity, tended greatly to increase the number of depredations and the general insecurity of property on the frontier. Those who were really disorderly among the petty chiefs were not to be reformed by seeing the innocent suffer instead of themselves; and they who were unjustly punished and deprived of their property were not likely to consider it a crime to follow their plunderers into the colony in order to recapture their own cattle, or seize, in reprisal, those of the colonists.* This state of things was not improved by the opening of a market for barter with the Caffers for the exclusive benefit of the military and the officers of the Colonial Government—a measure originally well devised by Sir Rufane Donkin, but which, thus perverted, was not only divested of whatever beneficial influence it might otherwise have had, but led to an extensive system of smuggling, and to abuses of every description. The Albany settlers and other inhabitants were debarred, by very severe penalties, from any share in this traffic—and the only advantage derived from it was, that a few officers and functionaries were enriched, by obtaining cheap oxen and abundance of ivory in exchange for buttons and *red ochre*; the Fish river clay pits being mono-

* Among many other proofs of this in my possession, is a letter dated May 24, 1824, written by an officer who had been long resident on the frontier, and well experienced in Caffer warfare. The writer states that, subsequent to Major Somerset's dashing attacks, the depredations of the Caffers had become more numerous and virulent; and that, on the other hand, there had been in every department, both civil and military, "a most obvious *relaxation*" in vigilance and good order "ever since the return of the Commissioners of Inquiry from the frontier."

About this period a military post on the Katt river, which had been established about eighteen months before, was abandoned without any intelligible reason, and the detachment of troops stationed there withdrawn, with such blundering precipitance and want of understanding with the commissariat officer, (Mr. Hart of Somerset Farm,) that a great part of the military stores, flour, provisions, &c. were left to be destroyed by the Caffers. But the blame on this, as on similar occasions, was of course thrown on some helpless subordinate.

polized by the military, and the produce retailed out to the Caffers; who, it seems, had no cosmetic pigment of equal quality in their own country.*

In the course of 1824, the young commandant erected a commodious house on his estate near Graham's Town (granted to him out of the Town lands); and his permanent residence on the frontier, under his father's fostering care, seems to have been confidently calculated upon. His failure, however, in negotiating, in the first instance, for the colonelcy of the Cape corps, and the alarming intelligence that Colonel Hutchinson (a personal and political rival) had obtained that much coveted appointment, and was coming out to assume the command of the frontier, awakened the Somersets to new vigour and vigilance, in order to ward off, if possible, such a blow to the pride and prosperity of our hero of the Cafferberg. Whilst proper means were adopted in England to secure an exchange with Hutchinson, measures were zealously set on foot on the frontier to obtain laudatory addresses from the inhabitants, to promote, of course, Major Somerset's favour at head-quarters. All attempts of this sort, however, failed in Albany—where the house of Somerset had indeed little cause to expect complimentary certificates; but in other quarters they were somewhat more successful.

Major Somerset had, by his predatory campaigns, acquired considerable popularity among the rude and restless frontier boors, who delighted in nothing so much as in glutting at once their vengeance and their avarice by shooting and plundering the Caffers. Quick enough in whatever relates to their own interest, however stupid in other respects, these people also speedily discovered that the Governor's son possessed an extent of patronage never pretended to by any of his predecessors in command. And, finally, to gain their hearts for ever, and their signatures for anything, the long-coveted "Neutral Territory" was privately promised to be distributed

* In January 1821, the following incident took place, relative to these clay pits. Some of the Caffers applied to Colonel Willshire, at Fort Willshire, for permission to proceed to the banks of the Fish river, for a supply of the precious ochre. The Colonel granted the request, but restricted the privilege to a certain number of females only. The Caffers, not rightly understanding, or neglecting this restriction, immediately flocked thither in considerable numbers, men, women, and children, all eager to procure loads of their loved cosmetic. Alarmed or indignant at this breach of his orders, a party of military was despatched by the Commandant to drive them out of the "Neutral Territory." The Caffers meekly submitted to the order, and retired in perfect quietness; but twenty-five women, who had, either from accident or curiosity, straggled across the river, (on the banks of which the pits are situated,) were seized and brought to Graham's Town, and these harmless creatures were condemned, on account of this very venial fault, to be separated from their husbands and children, and sent prisoners to Robbin Island. Ultimately their doom was altered to servitude among the boors of the Uitenhage district, 150 miles from the frontier; and all of them who have not been able to make their escape are still there, detained in bondage. Such is a sample of our Christian humanity towards the Caffers—and this is only one instance out of many transactions of a similar character.

among the boors exclusively, by Mr. Landdrost Mackay, a humble and assiduous partizan of the Commandant. Matters being in this favourable train, a memorial to the Governor, in favour of his son, was presented for their signature; and as there is something curious and characteristic in the mode of managing these affairs at the Cape, I shall go somewhat minutely into the history of this memorial, as a pretty good sample of similar transactions.

The memorial was got up in Graham's Town by a person of the name of Hans Botman, a border boor of no good report, but who had contrived, by some means or other, to gain the special favour of Major Somerset. The chief topics of the desired address were suggested to him, and he was assisted in concocting it by one De Smidt, a clerk of the commissariat. The phraseology was ingeniously managed by De Smidt, so as to give it a very natural *boorish* expression. Whether Landdrost Mackay had any hand in the composition I know not, but he did not fail to give it all the weight of his influence among the boors of his district. Hans Botman and his brother Louw, with the Veld Cornets Van der Nest and Erasmus, and several others, rode about by turns with it, night and day, to procure the signatures of their compatriots. Promises of Government patronage, of the landdrost's favour, and, above all, of rich allotments of the "Neutral Territory," were lavishly thrown out to such as would willingly sign, and threats of an opposite description were whispered to those who hung back. That these worthies (the Veld Cornets) were *authorized* to employ such "unconstitutional" methods to influence their countrymen no one (of course) will affirm; but that such methods *were* employed is certain. Van der Nest boasted to an English officer of my acquaintance that he expected the grant of two new farms on account of his own services on this occasion.

A tolerable number of signatures having been at length procured, the memorial was forwarded to his Excellency the Governor; and his Excellency, having duly considered the same, was graciously pleased to reply to it, in the following terms:

"Government House, Sept. 24, 1824.

"Gentlemen,—I have to acknowledge the receipt of your memorial, expressing your wish that the command of his Majesty's forces on the frontier should continue to be intrusted to Major Somerset. It is matter of very great satisfaction to me that the military officer, in whose hands I have placed that very important command, has conducted the duties of it with such utility to the public service as to recommend himself to your good opinion.

"I beg to assure you, that I shall at all times be most happy to receive your opinions and learn your wishes, and shall most readily give them all that weight with his Majesty's Government in England which my situation enables me to do.

"I have the honour to be, Gentlemen, your obedient servant,

(Signed) "CHARLES HENRY SOMERSET."

"To C. F. Van der Nest, Veld-Cornet,
and the respective burghers of the Bavian's River."

Now, this is a very plausible pretty letter of Lord Charles Somerset, for no man can express himself more properly and politely than Lord Charles when he is so disposed. But his Lordship little expected, I presume, when he wrote this reply, that his son's conduct as commandant, and the character of the "gentlemen" who petitioned for his continuance in command, would ever be reviewed in an English Journal. Such, however, has now become my duty, and I will not flinch from its full performance.

As a pretty fair illustration of the manner in which Major Somerset conducted the duties of his "very important command," so as to "recommend himself to the good opinion" of these same loyal burghers, I submit to the reader's attention the following facts, which occurred within six weeks after the date of his Excellency's letter. For the accuracy of the statement, I can vouch with some confidence, having myself investigated the transactions upon the spot, shortly after they took place.

In the beginning of November 1824, nine calves had strayed or been stolen from a boor of the name of Louw (or Lodewyk) Botman, a lying worthless fellow, and brother to the Hans Botman, previously mentioned. There was not the slightest evidence that these calves had been taken by the Caffers; on the contrary, the natural presumption was, that they had been destroyed by the hyenas, (being allowed to run at large among the bushes without a keeper,) or that they had been driven off by some of the gangs of Bushmen and Hottentot deserters who at that time swarmed in the neighbouring forests. But as nothing was to be got by ascribing the loss to the wild Bushmen or the beasts of prey, honest Louw, without hesitation, laid the blame on Makomo's Caffers, and solicited his patron for redress. Without farther investigation, (although Botman resided within one hundred yards of the military post of the Caha, and his character was notorious to every officer there,) without the least examination as to facts or probabilities, this application was instantly complied with; and the Honourable Captain Massey was despatched with a strong force of Cape Cavalry and armed boors to plunder Makomo's kraal. No traces whatever were discovered of the lost calves having been carried thither. Nevertheless, the *Commando*, (as such expeditions are termed,) though not quite so successful as on a former occasion, did not return empty handed: 411 head of cattle were brought off; of which a liberal share was allotted to the vagabond Botman, and the rest distributed among his loyal compatriots, "the gallant burghers of Bayian's River."

This was bad enough; but it was not all. Two days after this foray, three Caffers, bringing with them two oxen and a slave woman, came to the residence of the Veld-Cornet, C. F. Van der Nest, with a message of peace from their chief, Makomo,—purporting that he desired most earnestly to live on amicable terms with the Christians; and that he had sent out two colonial oxen, which his people had captured from the vagabonds who lived in the woods,

(meaning the Bushmen and deserters,) together with a slave-woman who had absconded from the colony, and whom the boors had recently requested him by a message to send out. This he had done in evidence of his desire to live in friendship; on the other hand, he besought the Veld-Cornet to use his influence with the Commandant to have the 400 cattle restored, which the late *Commando* had carried off from his kraal without any just cause for hostility being given by his followers.

This reasonable appeal (which was delivered partly by one of the Caffer envoys who spoke Dutch, and partly through the medium of the slave woman who accompanied them,) instead of meeting with a fair and friendly hearing from the Veld-Cornet and the other boors who stood beside him at the conference in front of his house, seems to have awakened only their apprehensions and their animosity; to have alarmed their selfish avarice (for they had all shared in Makomo's plunder); and to have called up their hereditary rancour. The Veld-Cornet had at that time a patrol party of twelve armed boors stationed under his orders, and who were now standing round him, and he hastily ordered them to bring out their guns. The Caffers hearing this, and judging from other indications that their message had given offence, became alarmed for their safety, and ran off with precipitation toward the mountain. The Veld-Cornet ordered his men to fire upon them; and he was eagerly obeyed. One of the Caffers was shot dead on the spot; another, mortally wounded, crawled into the thicket, and was left there to perish; the third escaped, and related the transaction to his chief and his countrymen; among whom (as I afterwards learned from the Missionaries and the Caffers themselves) it excited for a time a general feeling of deep indignation.

But my countrymen in England will exclaim, "Why, this was an atrocious *murder*; and certainly would not, could not be passed over by the authorities without due investigation and condign punishment!" The reader shall hear and judge.

Captain Massey certainly, on the affair being reported to him by the Veld-Cornet, rode over and inquired into the details, and reported them, of course, to the Commandant; but no further notice, as far as I could learn, was ever taken of it in that quarter.

Lieutenant Mackay, the civil magistrate of the district, when the Veld-Cornet's report came under his inspection, appears to have considered the occurrence of too trifling a nature to require any strict scrutiny. He merely sent notice to Van der Nest to wait upon him with any two of the persons who were present, in order to have an official account of the occurrence drawn up, to be transmitted to the colonial office,—a formality which, by the positive order of his superior, the excellent Landdrost Stockenstrom, he was obliged to comply with. Veld-Cornet Van der Nest accordingly waited upon Deputy-Landdrost Mackay, with two of his friends, selected by

himself to give evidence on the subject. These persons made their **DEPOSITIONS**. Mr. Mackay made his official **REPORT**; and the Colonial Government, in due return of post, made its official **REPLY**,—mildly blaming the Veld-Cornet for being rather *too hasty* on this occasion; but apologizing, at the same time, for his conduct, on the ground of the continual provocations and losses sustained by the frontier colonists from their savage and perfidious neighbours, &c. &c.—and there the matter ended!

Moreover, the chief Makomo has never received, to this day, the slightest redress or apology for the unprovoked plundering of his kraals and slaughter of his people. But the Veld-Cornet, who was guilty of this massacre, has not merely been continued in the exercise of his official functions, but, together with all his relations, connections, and coadjutors, soon afterwards experienced the peculiar favour of the Government, in the grant of lavish allotments of the territory recently wrested from the Caffers.

Though I am decidedly of opinion that this cruel affair deserves no softer name than that of *murder*; yet it is but just to state Van der Nest's own excuse, and what else may be fairly urged in palliation of his conduct.

The apology he himself makes for his *hastiness* on this occasion is, "That the Caffers refused to deliver up their arms,—that he suspected them of treacherous designs,—and was alarmed for his personal safety." These excuses, even from the admission of his own witnesses, (whom I personally examined,) appear to be exceedingly frivolous. The Caffer warrior always carries his bundle of assagais wherever he goes, in peace or war. These men were envoys from their chief. What right had the Veld Cornet to demand their arms? Did he mean perfidiously to make them prisoners? Again, how could he suspect them of any treacherous purpose, coming as they did in open day, to deliver up the slave and oxen which he and his friends had previously applied for? And, above all, how could he be alarmed for his personal safety, surrounded as he was by a guard of twelve armed men, and in the centre of a hamlet of wood-cutters, where, if he only gave the signal, twenty other loaded muskets would be instantly at his elbow? If, by this pitiful excuse, he can free himself from the imputation of cruelty, it can only be by accepting in its stead that of the most abject cowardice. And besides all this, the poor Caffers, when they were shot, instead of being in a menacing attitude, were flying in the utmost alarm for their own lives.

A better apology than his own may, perhaps, be made for Van der Nest. He is a mere illiterate African peasant, deeply imbued with all the unchristian and illiberal prejudices in regard to the coloured races which characterize the class of people to which he belongs; and it is to be observed, that the boors of that very neighbourhood,—the veld cornetcy of Bavian's River,—are

among the most untutored, unprincipled, and disorderly of the whole colony; and, consequently, generally devoid of any proper sentiments of humanity or justice towards the native tribes, with whom they and their forefathers have been constantly embroiled in a warfare of mutual injury and aggression. It was on this very spot, and among these very men, that the rebellion against the British Government, in the year 1815, had its origin: a rebellion undertaken solely in maintenance of their 'ancient privileges,' to murder their slaves and Hottentots, and to shoot Bushmen, Caffers, and other 'wild people' at their pleasure, as they had been of old accustomed to do, without being called to account for it, by either judge, landdrost, or any one whatever.

I do not rank Cornelius Van der Nest among the very *worst* of these rude men. But he is one of them; and in this wicked and foolish insurrection, he, and all his brothers and connexions, were openly engaged. His brother-in-law, Piet Erasmus, headed the armed rebels when they marched to attack Van-Aard's post; and on that occasion this ruffian (Erasmus) behaved with extreme insolence to that mild and excellent officer, Major Fraser, to whose forbearance he and some others afterwards owed their lives, when their compatriots, not more guilty, were hanged or banished. Yet this same Erasmus has *now* become a favourite with those in authority, and has recently been appointed Veld Cornet of the Ceded Territory. Such is the class of 'gentlemen' to whose 'opinions and wishes' Lord Charles Somerset so graciously promises to give 'weight with his Majesty's Government in England'!!

That the slaughter of the Caffer envoys should take place among persons of this description, is by no means extraordinary. Even the best of the frontier boors (with but few exceptions) generally speak of Bushmen and Caffers as 'hounds and wolves,' and consider the shooting of the one class of beings nearly as venial a matter as that of the other. Such sentiments, considering their education, may be accounted, perhaps, almost as much their misfortune as their fault; but how can we admit of any such apology for the criminal connivance of the Colonial Government, or its provincial functionaries, in such atrocities?*

* It is with much regret that I have to add, while on this subject, that not a few of our own countrymen in South Africa, who have lived long among the boors, or who have been much experienced in Caffer commandoes, have imbibed, in their full extent, the cruel prejudices of the African colonists in regard to the natives, and are in some respects quite their matches in barbarity. Some of the settlers are not altogether free from blame in this respect, but the discharged British soldiery are far the most criminal. One of these men, who had married a sister of Van der Nest's, had an active hand in the slaughter of Makomo's messengers; and the following is a still more striking illustration of this spirit:

A month or two previous to this affair of Vander Nest's, a party of five Caffers, armed as usual, but one of them wearing as a badge of peace a white linen shirt, came to the residence of a Scotch settler at the Barian's river.

Oriental Herald, Vol 12.

I have gone thus minutely into the affair of Van der Nest and the Caffers, because I consider it of far more importance (taken in connection with the attack on Makomo) as an illustration of the mode in which these people have been treated, and the frontier managed under Lord Charles Somerset's administration than many transactions upon a larger scale. It is a lamentable proof, too, of the utter emptiness (not to say hypocrisy) of the philanthropic professions which the Cape Government is in the continual habit of *publishing* relative to the native tribes. Let the reader mark the following sentences from the 'Instructions to the Rev. Mr. Thompson and Mr. Brownlee,' the Government missionaries and agents in Cafferland:

'There is, perhaps, no circumstance connected with the interests' of his Majesty's Government in this settlement, that his Excellency Lord Charles Henry Somerset feels more anxiously alive to, than the introduction of Christianity among our unenlightened neighbours, and with it its invariable concomitant and greatest of temporal blessings to a people, 'civilization.'

'His Excellency's chief object, next to this of religious instruction, is, that you should constantly impress upon the chiefs his friendly feelings in their regard; that you should explain to them his wish that the border now fixed for the two nations should not be violated by either; and, on his part, *he is prepared to punish any colonist who shall commit the most trifling*

The settler, who had never before seen any wild Caffers, felt rather apprehensive of their intentions, but he suppressed his suspicions, determined not to be the aggressor, and to treat them in a friendly manner, unless he saw cause to act otherwise. One of them, who spoke Dutch, stated, that they were messengers sent out by their chief, Makomo, to the Veld Cornet, Steenkamp, on the Tarka; and that they only requested a little food, and permission to remain for the night. The settler, a humane and worthy old man, gave them a sheep and an empty hut to sleep in; and they soon kindled a fire, and sat down with the utmost good humour and confidence to dress their supper and smoke their pipes. While they were thus employed, and quietly conversing with the Hottentot servants, a disbanded serjeant of the 72d regiment, but now a farmer in that vicinity, came to the place in great haste with his gun,—informed his neighbour that he had heard of the arrival of the strangers, and having been engaged in several commandoes, and consequently well acquainted with the nature of the Caffers, 'who,' he said, 'were just the same as wolves, and very *treacherous*;' and as this party could not possibly have come out but for some wicked purpose, and might very probably rob the kraal, and murder all the family in the night, he coolly proposed to the old settler, as the best plan to prevent this mischief, to surround the hut with their servants, while the Caffers were busy with their supper, and *shoot them all dead on the spot!*

The old Scotchman, however, who was not so 'experienced' as his martial countryman, rejected this proposal with horror and indignation. The poor Caffers were permitted to eat and sleep in peace; and next morning before they departed came and expressed their grateful acknowledgments to their host for the hospitable treatment they had received. They parted in kindness. The Caffers proceeded on their journey, and returned by another way to their own country, without doing the slightest injury to any one whatever. One individual of this party, (the man who spoke Dutch,) was the same person who afterwards delivered his chief's message to Van der Nest, and was then shot by the boers, after escaping the projected treachery of the British serjeant.

offence against the Caffre people; and that it is but just in return that the Caffre Chiefs should, on their parts, seek out and punish those who commit depredations and murders in our territory.'

'Nothing can be more clear than the immorality of the Caffre aggressions on the colony; nothing more distinct than the peaceable and friendly views of the Colonial Government towards the Caffers.'*

Now, let the reader compare these fine professions with the facts I have already detailed, and those I have yet to add. Let him bear in mind, too, that the Commissioners of the Court of Justice, chiefly appointed to investigate and bring to trial all aggressions and malpractices towards the natives, visited the district where this murder was perpetrated, a few months afterwards, while it was yet the general topic of conversation, without taking the slightest notice of it. Had Van der Nest been a person 'obnoxious' to the Governor, would his crime have been thus passed over?†

The two following documents are subjoined, to show that the opinion I have expressed, in regard to this transaction, is neither singular nor unsupported:

Extract of a letter from the Rev. Mr. Brownlee, Government Missionary in Cafferland, dated July 30, 1825:

'From the statement of different Caffers, it appears that a Hottentot woman was sent direct to Makomo a short time before, requesting him to send out two* particular oxen, which were described, and he was desired to send the oxen not by Fort Willshire, but direct to the Bavian's river.

'Makomo says that he sent these two oxen, together with a slave woman, who had deserted from the colony, under the charge of three Caffers. It is further affirmed, that they came to the place of Van der Nest and delivered the oxen and the woman over to the boors. They report that a number of boors were present, and some horses saddled before the house. The Caffers overheard the boors questioning the woman; and, from their manner, began to be apprehensive for their safety, particularly when the boors went into the house for their guns. At this moment the Caffers ran off, but were fired upon, and

* 'State of the Cape of Good Hope, in 1822, by a Civil Servant.' p. 223.

† Take the following instance relative to a gentleman who is not in the habit of lending his name to the getting up or circulation of hypocritical addresses. 'In the year 1817, Lieutenant Devenish, of the Cape Corps, commanded the post at De Bruin's Drift. One evening, just before sunset, he observed several Caffers on the other side of the river, who were whistling and making signs to each other. The cattle belonging to the post had not come home, and Lieutenant Devenish called to the Caffers to go away. Finding that they took no notice of him, and considering it dangerous to have such neighbours at so late an hour, when the cattle were still very distant from the post; he, therefore, sent a corporal, with a party of men, to drive them away. One of the Caffers attempted to stab one of the Cape Regiment, and the latter, in self-defence, shot him. For this Lieutenant Devenish was placed under arrest, a junior officer was sent to take command of the post, and Lord Charles Somerset ultimately said, it was nothing but consideration for Lieutenant Devenish's large family that prevented him from having him brought to a court martial.'

then pursued by two boors on horseback, who also fired upon and killed two of them, while the third made his escape into the forest.

'The commando, which entered Cafferland a few days before this event, was undertaken on account of some calves that had either strayed or been stolen from the military post at the Kacha. There were no traces of the calves found or followed to any part of the Caffer territory. Yet on this occasion there were several hundreds of Caffer cattle seized and distributed among the boors by Captain Massey.

'The present arrangement between the Colonial Government and the Caffers, is to trace all cattle, stolen from the colony, to some part of the Caffer territory, and to make the nearest kraal responsible for them; and in case of their not delivering up the cattle, the patrols are to take an equal number from the kraal.

'How far the above commando acted according to strict justice, or according to the frontier regulations, I leave to others to decide.'

The following letter is addressed to his Majesty's Commissioners of Inquiry, Cape Town, Bavian's River, 27th October 1825:

'GENTLEMEN,—In reply to your letter of the 13th instant, I beg to state, that in the month of November last, being at the Kounap river with my neighbours, the boors Diedrik Muller and Zacharias De Beer, I met three Caffers, with a slave woman and two oxen, travelling towards the colony. They came forward to us of their own accord; and while the boors were interrogating the slave woman, I conversed a little with one of the Caffers, who spoke Dutch, and whom I knew to be a man I had seen a month or two before at Bavian's River, on his way to Steenkamp's, Veld Cornet of the Tarka.

'They said that they were going to Cornelius Van der Nest, to deliver up the woman and oxen—that they were sent by Makomo to do so, and that they had taken the oxen (which belonged to the colony) from the *Schelms*, who lived in the Bush, meaning, as I supposed, the Bushmen and vagabond Hottentots. They were leading the slave woman with a rope of mimosa bark tied round her neck.

'They added, that they were afraid Van der Nest would not receive them in a friendly manner; or, as they expressed it, that they would not get '*een goed woord*' from him.

'I replied, that as they were going out to return stolen property, and with a peaceable intention, there could be no danger.

'Neither I nor my companions had any suspicion, from all that passed, that they intended any harm, or came out with any other than a friendly purpose; and we were all much surprised at hearing, on our return, that two of the Caffers had been shot at the Veld Cornet's.—I have the honour, &c.

(Signed) 'GEORGE RENNIE.'

I now proceed to conclude my Narrative of Frontier Affairs, and to detail the curious and complicated manœuvres connected with the flagrant breach of the treaties with the Caffers, by Lord Charles Somerset, in distributing the Ceded Territory among their hereditary oppressors, the profligate and uncultivated border boors.

AFTER.

[The great length of the article renders it necessary to delay the conclusion till next Number.—EDITOR.]

A VISIT TO THE KING'S COLLECTION OF PICTURES.

BY AN AMATEUR.

THE motives by which the greater number of individuals are led to visit picture-galleries are, I dare say, exceedingly different. Some go to kill time, some in order to say they have been there, some to indulge their appetite for censure, others to gratify the cravings of curiosity, and some few, perhaps, to enlarge and correct their notions of art, and habituate themselves to judge accurately of its productions. For my own part, I go to feel myself in the presence of beauty. It is perhaps impossible for any man, inheriting a tolerable share of sensibility, to view with indifference the loveliness of external nature; the tranquil pastoral landscape, the retired valley, the winding river, the blue distant mountain, trees, cattle, cottages, and the lonely shepherd. On these the eye may long dwell with calm delight. Their aspect soothes the soul. This I allow. But, notwithstanding, the pictures I love are those which exhibit beauty and passion, the former agitated by the latter, or calmly reposing on itself, after having been moved, melted, subdued, and touched with pensive tenderness by love. For this reason, women please me more than girls. I like to read in the face that the heart has palpitated strongly. I like to see the traces of passion upon the features, like veins of lightning running through a cloud; and to imagine that the cheeks and eyes I behold with so much intentness have been wet with delicious tears, such as often fill my own, when I gaze steadfastly on beauty.

Something like this feeling is requisite, if we would speak with any degree of security, of the grace and beauty of form; which one would judge, from many circumstances, escape altogether the eye of a great number of individuals who purchase or decide on the merits of pictures. As to the British public, its taste is as yet unformed. It may of course express a random opinion on whatever it sees, and sometimes be right, but it cannot judge. This any one, who frequents picture-galleries, and attends to what is before him and around him, may very soon discover, both from the words and looks of the spectators; for most persons contrive to deliver their opinions loud enough to be heard, and those who do not, soon let you into the secret of their preferences by their countenance.

It is no imputation, however, on the natural capacity of the public, that they sometimes admire ignorantly and blindly the most ordinary productions of art, while the sublimest creations of genius move them but coldly; the majority of minds come to the task of judgment much too unprepared to decide correctly; they want knowledge, not understanding. It is nevertheless highly amusing

to hear the observations and expressions of glee which always fly round in audible whispers at public galleries. One perhaps expresses amazing satisfaction at the fidelity with which Mieris has painted a lap-dog, or Terburgh a satin dress; another is in raptures with a loaf of white sugar, a slice of cheese, or a red herring in a grocer's shop; the lumbering boot, or heavy red doublet of a Dutch cavalier delights a third. And so on. Seldom, or never have I heard on such occasions one fine remark on faithful delineations of passion—on softness—on sweetness—on gracefulness—on beauty—on sublimity.

The King's collection, which formed the late exhibition in Pall Mall, is almost wholly Dutch or Flemish, (the distinction is hardly worth preserving.) In a certain sort of picture, those I mean which represent coarse boisterous mirth, or the common occupations of life, it is exceedingly rich; Teniers, or Ostade, or Jan Steen, meets you in every corner; but it has not many master-pieces, and not a single painting of exquisite female beauty. I formerly attributed it to cant and affectation that the Dutch were esteemed incapable of embodying beauty, but I am now constrained, after careful investigation, to admit the fact, in whatever way philosophers may account for it. There seem to be some few cases which form exceptions; as a very high degree of loveliness has sprung up beneath the touch of Vanderwerf, of Rubens, of Gerard Dow, (if the 'Sick Chamber' be his,) and some others; but, perhaps, for I do not speak positively, there is not in all their works a female face and form which could, upon the whole, be pronounced beautiful. The 'Judgment of Paris' by Vanderwerf, at Dulwich, and the same artist's 'Lot and his Daughters' in the King's collection, are evidently attempts to portray the *beau idéal* of female beauty, and perhaps the most successful attempts ever made by any Dutchman. In the former, the three Goddesses, exhibiting their unveiled beauties to the Shepherd of Ida, are very fine forms in many respects, and retain a great portion of their mythological loveliness; but when the eye comes to measure their proportions, it finds their fair slender figures towering to so great a height, that it expects every moment to witness one of Ovid's metamorphoses rivalled, by the conversion of these tall goddesses into Corinthian columns. Lot's daughters are very exquisite forms, but they have their faces thrown so much into the shade by their postures, artfully contrived, I make no doubt, expressly for that purpose, that it is more than difficult to judge nicely of their features. One of them reclines quite naked by her father's side, but a partial shadow falls upon her face and neck, and half veils her countenance. The other is stooping, and squeezing a bunch of grapes into a brazen platter, which the old man holds between both hands on his lap. Thus, though the finely turned limbs, glowing with the hue of life, and the lovely neck and bosom, seemingly disturbed with agitated breathing, command the

admiration of the spectator, still the face, that region of all that is most beautiful in nature, lies half concealed, and barely allows us to discover the unspeakable wantonness that prompts them to their nefarious stratagem. The back-ground is occupied by what seems to be the rocky sides of a cavern, and various objects, among others, large clusters of grapes, are seen scattered around. Though the general conception, and the grouping of this painting be very admirable, the old man himself is surely represented too far advanced in years, as is generally the case with Joseph in holy families; a defect willingly allowed to creep into the piece for the sake of contrast. On the whole, however, this production of Vanderwerf's, though excellent in design, and highly admirable in execution, must be condemned as a subject unfit for printing, unless we conclude with Aristotle, that obscenity, detestable on all other occasions, is allowable in matters belonging to religion.

I have no intention to make the pictures of this collection an excuse for theorizing on the Dutch school, which, were it perfectly within my competence, I should avoid as a matter likely to interest but few. In speaking of a picture-gallery, the object should be to convey to those who have not seen it an idea of the productions of art it contains, and, where these are too numerous to be enumerated completely, of the principal pieces. A descriptive catalogue of the 164 paintings contained in the King's collection, would occupy a moderate volume, though it is questionable whether they deserve to be described so minutely. My object, at present, is merely to give a slight sketch of two or three among the principal pictures, avoiding all technical terms, and that peculiar phraseology affected by connoisseurs, which, however exact, might not serve so well on the present occasion to explain my meaning.

The first thing that attracted my attention strongly was Rembrandt's portrait of a Jewish Rabbi. It is an extraordinary picture. The features are of the true Israelitish cast, but elevated into something like sublimity by the solemn patriarchal touches of age, upon a face expressive of almost intimidating energy and defiance. There, in every muscle and feature, you discover the member of a disinherited nation. He seems to stand in the frame, like an old lion at bay, setting at naught the baiting world and its leaders, and collecting all his magnanimity for a closing struggle. His eye flashes, and pierces the beholder, like the eye of authority. His nose has the eagle bend; and his mouth contracted, and lips drawn inwards, indicate concentrated bitterness or cruel revenge. Yes, there is written on that time-stricken visage, an inscription more intelligible than language, recording the schemes of vengeance that had racked the bosom, burning at the dispersion, contumely, and scorn heaped by Christendom on his trampled race. On his chin a curling white beard, discovering in front the ruddy skin, and evidently thinned by the depredations of time, bespeaks

an antiquity which carries us back to the beginnings of his nation, and the tents and wanderings of his father Abraham. Upon his countenance dwells the spirit of the East. His close flat velvet cap, something papal in shape, admirably crowns his upright collected figure. A rich dress and costly furs cover his shoulders; on his breast, dimly glittering between the dark folds of his garments, a girdle and golden clasp appear; and, a little below, one of his hands is seen partly covered by his robe. Behind him, in the dark back-ground, runs a line, apparently of ancient battlements, scarcely discernible in the dull light of the Pall Mall Gallery; and on the right, far in the distance, towers arise, probably the towers of Zion, as we may imagine them to appear in a Jewish dream, dusky, gloomy, obscure. The colouring in all this part of the picture is like twilight, courting yet defying examination, and opening a vast champaign of delusion to the eye; for, as we gaze upon it, perceiving it peopled with indistinct forms, we are apt, in the warmth of imagination, to fancy that the whole history of his race is painted there, could we but dispel the over-canopying darkness, and wrest it from that tantalizing oblivion.

The 'Adoration of the Magi,' another of Rembrandt's pictures, next invited my notice. I could perceive, however, that this was no favourite with the beautiful living eyes that glanced round the gallery. These were much more frequently fixed on a 'Party at Cards,' by Da Hooze, suspended not far off, or on a Dutch tête-à-tête, by Micris, in which the lover is playfully pinching a lap-dog's ear. Yet this 'Adoration' is a noble picture, though the Virgin is not beautiful, nor the Child. In fact, the latter seems, in spite of my veneration for Rembrandt, a little squalid old-looking urchin, purloined from some workhouse, or ruined at home by bad nursing. It is exceedingly ill-judged in painters to attempt expression in a face one day old; for the absurdity cannot fail to offend all men of taste. These, however, are almost the only defects in this picture, the remainder being a chaste and splendid creation of genius. The Virgin, seated on a low bench, covered by her drapery, presents her infant son to the view of the wise men. Of these, the most aged, bearing in his hands a costly present, kneels before the Child, and bends his forehead, after the Persian manner, to the ground. Two of the attendants kneel also. On the left of the Virgin, and near the shed in which Christ was born, and where Joseph is seen standing in pale astonishment, another of the Magi, with a thin Oriental countenance, magnificent raiment, and royal turban, or tiara, glittering with gold and jewels, presents a portion of the gifts to some bystander, for Joseph cannot be supposed to have had any domestics or slaves. The third Magus stands in a wondering attitude, considerably further off, on the right hand, and by his side we discover a fat bloated personage, very much resembling the eunuch Babababouk in 'Vathek.' All the back-ground is filled with figures huddled

together in partial darkness, through which the eye seems to pierce gradually, as it does through the gloom of night, now discovering a broad Oriental parasol, now a turban, a wondering visage, or the curving neck and bare head of a camel. Beyond, utter darkness repels the sight. As to the light which streams down in one single cluster of rays upon the principal figures, and appears in such violent contrast with the thick night that hems it round, it seems to fall miraculously from some luminous cloud above; there appears no other way of accounting for it.

Rembrandt must necessarily be a favourite with all admirers of correct imitation of nature. His portraits are alive: and it would be a pardonable mistake if one were unconsciously to begin a conversation with them in the hope of profiting by the sagacity and good humour which their looks indicate. 'This is peculiarly true of his own portrait, and that of a lady with a fan. But I willingly pass over these to come to something more extraordinary—' Christ appearing to Mary Magdalene;' the invention and general design of which are exceedingly beautiful. Mary, we know, went to the sepulchre somewhat before day, and found it empty. Christ was risen, but two angels still lingered about the spot, who told her what had happened. Immediately after, however, as if she heard the footsteps of some one approaching, she turned round, and seeing Christ at her side, mistook him for the gardener. At this point of time Rembrandt takes up the story. The sepulchre, a large sarcophagus of stone, lies on the brow of a hill looking towards the east, embowered in a sweet leafy nook; the angels are sitting or reclining on it; Mary herself, kneeling on the ground, with her box of frankincense before her, is just turned round; Christ stands on her right hand, looking down kindly upon her; at the foot of the little mount, enveloped in the shadow of lofty buildings, are two earthly lovers moving towards the city; below, Jerusalem, with its multitude of towers and dwellings, lies stretched out: and in the distance, the blue mountains of Judea, bathed in the fresh warm light of morning, close the view. All this is more admirable than I can describe; but in the details there is a good deal of meanness and absurdity. Rembrandt, although a man of genius, was strongly prejudiced against the study of the antique, and of the great masters of Italy. He was certain that, in a peculiar way of his own, he should be able to acquire glory and immortality, and these, he thought, in whatever way they might be attached to his name, were enough. But in consequence of this perverse notion, whatever excellence he in other respects possessed, he never, during his life, was capable of delineating or conceiving beauty, or ever gained the knowledge necessary to preserve him from gross anachronisms in costume. In this picture, where, above all things, one would not wish to find anything ludicrous, Christ wears upon his head a large broad-brimmed hat, like Lord Yarborough's, a thing

which no old-clothes man of Jerusalem had ever yet huddled under his arm. At his girdle, too, a huge knife is suspended; and in his right hand is a spade, as if he were actually about to turn up the earth for a bed of cauliflowers. His face, though fine, is perfectly European; and Mary herself is sordid-looking and ugly. As it rested, however, with the painter to bestow what forms and features he pleased upon the personages of his piece, we may logically conclude that, because these faces, in which undoubtedly Rembrandt must have done his best, are not beautiful, nor anything approaching it, therefore he was incapable of beauty.

There are other pieces by this great master in the collection, as the 'Portrait of the Burgomaster Pancras and his Lady at her toilette,' and the 'Ship Builder and his Wife;' but none that deserve to be particularly described, though they were very fine to see. 'The Family of Verbeest,' by Gonzales, is a very excellent painting. The groupe consists of six figures, the two parents and their four children: they are all in pleasing attitudes; the father stands, the mother is sitting, the children seem to be resting after violent play. Happiness beams like sunshine from all their faces. The features of the lady, not beautiful, perhaps, but exceedingly interesting, bewitch you with their sweet expression. You can gather from the softness and golden serenity diffused over her countenance, that the contemplation of her lovely children has shed the oil of gladness over her heart, and generated a delight almost too big for her bosom, and bordering upon tears. The father, a tall martial figure, partly wrapped in a cloak, and having a sword by his side, seems likewise to be 'chewing the cud of sweet and bitter fancy,' as fathers who turn an eye on the future are apt to do. Behind the groupes a fantastic portico, and portions of a massive pile appear; but on the right, stretching away to an interminable distance, is a landscape of exquisite loveliness, and a richly clouded sky, which communicate extraordinary interest to the piece. This part of the picture, indeed, is so chaste and tranquillizing, that, without in the least losing keeping with the modern figures, it carries back the fancy to the fabulous era of gold, which poets and painters have created to adorn the back-ground of history. The Catalogue neglects to inform us whether the Gonzales who painted these portraits was Don Pedro Ruiz, or Bartolomeo. The former, we are told, who was the pupil of Escalaite and Carreno, succeeded so admirably in imitating the colouring of Titian and Paul Veronese, that his pieces were sometimes mistaken for the works of that school. He died in 1709. Bartolomeo was more ancient: he was a native of Valladolid, studied under Patricio Caxes, and died in 1611.

Very different from any thing I have mentioned is 'A Female with a Candle,' by Schalken, which is a lovely little picture of its kind. The countenance of the girl, upon which the candle she

holds in her hand throws a strong and startling kind of light, is not perhaps strictly beautiful, but it is one of those which find a ready entrance into the heart. She has just descended a flight of stairs, which we discover in the partial gloom behind her, and is in the act of drawing aside a curtain with her right hand, the candle being in her left. Her attitude is admirably natural; and on her face, and in her bright eyes, which absolutely sparkle with vivacity, we read that she is about to surprise an enamoured lover with his mistress, and is contriving some sportive thing to launch at them in exulting merriment. From another picture in the collection, 'A Concert,' we discover that this female was the painter's own wife. Here she is young, sprightly, full of loveliness: in the Concert, time, to use Shakspeare's language, has evidently been 'digging trenches in her beauty's field,' though her graceful smile and her vivacity still remain, and the loves have not taken their flight from her lips of vermillion and her dimpled cheeks. Schalken, who studied under Van Hoog, and Gerard Dow, particularly excels in painting the effect of lamp or candle-light. He had a small dark closet in his workshop, where he placed his models, with a lamp or torch burning before them, and, from an opening without, he examined the effects of the light upon their features and drapery. He painted portraits; among others, that of William the Third of England, but he was driven from this country by the jealousy of Sir Godfrey Kneller. Schalken has another piece in this collection, entitled 'Le Roi Detroussé,' but the subject is too dirty to be handled.

From the difficulty which painters experience in reaching originality in Scripture subjects, they often run into affectation and absurdity. They study as much, apparently, to differ from each other, as they do to resemble nature, and perhaps more. Indeed, not one of them, so far as I remember, ever went into Palestine to study the features of the country or of the natives on the spot, or even procured Jews to sit to them for Christ and his Apostles. Yet a noble-featured handsome Jew would make a better Christ by far than the beau ideal of any European whatever. In 'Christ healing the Sick,' by Vandyke, (the picture which drew forth these remarks,) Jesus is as fair, ruddy, and feminine as a petit-maître of the north of Europe; and this is made more striking by being put in contrast with the tawny Apostle, with Italian features, who stands by his side. The sick man himself, who is represented baring his breast and shoulders before Christ, has exactly the countenance of an Irish labourer, and he is distinguished by that fawning expression of face which such a person would put on in the presence of some kind physician. As to the face, whether masculine or feminine, which appears behind him, it looks for all the world like that of a witch, pining with malice, and amazed at the surprising benevolence which beams from the eye of Christ. Whoever would see the true Syrian countenance, as it now exists, and must always have been, should visit the National Gallery and contemplate the fine figure

and face of Christ, as he is represented in that magnificent picture, the 'Raising of Lazarus,' by Sebastian del Piombo.

'The Marriage of St. Catherine,' another of Vandyke's pictures, is a singular mixture of faults and beauties. In this piece the Virgin has a very peculiar and majestic kind of beauty, a kind which I never before saw in any picture of her. She has the countenance of Diana, haughty dignity, approaching almost to scornfulness, and an eye quite unsubdued by maternal tenderness or solicitude. You can trace something of compassion in the look she bestows upon St. Catherine, and certainly the extraordinary silliness that appears in the gaping mouth and dull eye of the latter, is very well calculated to excite it. The Galilean goddess holds in her hand a nuptial garland, and the infant Christ himself, whom she holds carelessly on her lap, brandishes a wedding-ring; but he keeps it quite out of the reach of his intended wife, as a play-thing he was loth to part with. I am not acquainted with the professional creed respecting Vandyke's colouring, and so may give vent unawares to very heretical notions, but in my judgment it is very wretched in many parts of this picture. The Virgin, passing her left hand round the infant to hold him on her lap, brings it out under his left arm, and squeezes up a portion of his plump breast into large ridges. This, well coloured, would not look amiss; but here it appears nearly as unpleasant a sight as if it were a part of St. Bartholomew himself, after he had undergone the fate of Marsyas. The blood seems oozing and starting through the skin; which is likewise the case with the infant's feet. All this may, perhaps, appear very absurd to the admirers of Vandyke, who can probably demonstrate that every portion of the picture is exactly as it should be. I speak, however, merely as I felt.

From Vandyke, I pass on to a greater painter, Rubens, whose portrait, from his own pencil, adorns this collection. There is every mark of genius on the face of Rubens: towering forehead, eagle eye, red curling lip, Grecian nose, admirable contour. His hair is here dashed thickly with grey, as are also his mustachios and his beard. His broad, low-crowned hat, velvet cloak, lace shirt-collar turned out over his shoulders, give his figure an air of magnificence answerable to our idea of the artist-ambassador. He is held to be unrivalled in his colouring. In landscape he may be, but not in portrait. At least he appears nearly as faulty, according to my judgment, in his representations of the human complexion, as of the human figure. His flesh is too pink-coloured, and is touched with a mealy hue, like the flowers of the auricula. This peculiarity is most striking in the portrait of his first wife, and of Mary de Medicis at Dulwich. Of his conception of form, we may judge from his Venus. Never was there a figure more utterly at variance with our notions of that immortal embodiment of loveliness, which shone like the morning star among the beauties of the mythology; in the hands of Rubens she appears like a burgomaster's wife intriguing with a serjeant of dragoons. In his own portrait the colouring is

nearly natural, though the florid pink be still visible. The glimpse of sky caught behind his back is good, and gives great freshness to the picture.

WHY MOURNS THE LAND ?

Written to be sung at Madrid.

WHY mourns the land ? what stroke of fate
Has touch'd the people's brow ?
Why do they eye the rugged shore
Where ocean roars below ?
Hope they beyond the wide, wide wave
To find some place of rest ?
Hope they to flee where Power no more,
Nor Law, may wring their breast ?
Alas ! the poor, like Noah's dove,
Find still, where'er they fly,
There is no resting-place for them,
No pause of misery !
They see the gilded domes of state
Insult their wretchedness ;
They see the noble and the priest
Fattened from their distress ;
They read, if read they can, each day
Of princely routs and feasts ;
And then of men, like Babel's king,
Forced out to graze with beasts !
They *hear* of science, knowledge, art,
Of happy golden years ;—
They *feel* the iron in their soul—
They *feel* their scorching tears.
They hear a heartless scribbling crew
Boast of our happy land—
They quit, howe'er, these realms of bliss
For any savage strand.
And are the people few or weak,
That thus they groan and bear ?
Has heaven wrote " Slave " upon their brow,
And dash'd their souls with fear ?
Is man so tame a beast as this ?
Has he nor fangs nor claws ?
That thus he grovels in the dust,
Enchain'd by cob-web laws ?
Allow that foreign bands surround—
The Gaul hath been subdued ;
And Freedom's path, though rough and red,
Was once by Spain pursued.
Then up ! for Freedom once again,
Our mountain bands be brave !
'T were better far, than wither thus,
To fill a glorious grave.

PROGRESS OF THE BURMESE WAR—CAMPAIGN OF 1824, 1825—
*CHITTAGONG AND ARRACAN.

Third Article.

IN two preceding Numbers of this Journal, (No. 26, p. 241, and No. 27, p. 500,) we have given at some length a detailed Narrative of the Operations of the Burmese war, including the Expedition to Rangoon, the Invasion of Assam, the Proceedings in Sylhet and Cachar, and the Operations on the Chittagong Frontier.

On this frontier the Narrative closed with the retreat of the Burmese across the Naaf, in the end of July 1824. (See Vol. 8, p. 252.) With the Indian army, the unmolested departure of the assailants from the British soil was a subject of deep regret; such feelings of *esprit de corps* are creditable to a military body; for were an army to view with indifference the escape of an enemy who had inflicted so severe a loss as that sustained by Captain Noton's detachment, little of energy or right feeling could be anticipated from it when called into action. The Bengal army felt, as became soldiers, for the slaughter of their comrades; and without scrutinizing into the causes of that disaster, were impatient to revenge their fall, and to remove the stigma cast on their reputation by the Burmah triumph at Ramoo. While the negligence of Government in leaving the Chittagong frontier between March and June with a force inadequate to protect it, or to punish aggression, merits the severest reprobation; the commencement of the rains, and the resolve to prosecute the war in Arracan on the return of a more favourable season, affixes a stamp of discretion on the hesitation it manifested against a premature display of its resources; nor was a due regard for the health of the troops a less powerful motive to deter from operations against the Burmese stockaded in the marshes near Ramoo and Rutnapalung.* Indeed, their first body re-crossed the Naaf on the

* Mr. Robertson, the political agent, was anxious that the Burmese at Ramoo and Rutnapalung should be attacked, and had exerted himself in collecting transport for a force to be so employed. The intelligence department at Chittagong had, however, been previously so defective, that Government might well pause before it adopted a course recommended by the resident civil and political authority. In this instance, however, an intelligent officer, Major G. P. Baker, who went on a mission to Chittagong, concurred in the practicability of the project to attack the Burmese, and intercept their retreat across the Naaf.

These facts are stated, though we maintain that the course pursued was most judicious, an opinion unshaken by our admission, that in June the force at Chittagong was fully adequate to effect the measure advocated by Mr. Robertson and Major Baker. From the early indications of retreat shown by

10th of June, when our reinforcements had not reached Chittagong; but before the complete evacuation of the stockades at those places on the 27th July, disease had thinned the ranks of the enemy, and subsequent sickness, while cantoned near the city of Arracan, totally disqualified the Burmese army in that province for effectual resistance to an invading force.

On the 8th of July, Brevet-Colonel William Morrison, of his Majesty's 44th Foot, was selected, with the rank of Brigadier-General, to command the force organizing at Chittagong, under the denomination of the South-Eastern Division of the Army, for the invasion of the Burmese empire *via* Arracan. Colonel Morrison had acquired reputation in the conduct of a small force in Canada during the last American war; was highly esteemed in the regiment he commanded; and in youth, if not in personal activity, surpassed, we believe, every officer of his rank in India, of either his Majesty's or the Honourable Company's services. To counterbalance these advantages, Colonel Morrison was, from his very recent arrival in India, necessarily unacquainted with the language, the habits, and the character of the great portion of the troops under his command, and equally so with the peculiarities, which, from seasons and climate, are inseparable to warfare in the East. We shall endeavour to do ample justice to the merits of this commander, in the conduct of the campaign; though we may not lose sight of these palpable disqualifications which environ with difficulties an officer new to the climate, the soldiers, and the resources of the country in which he is employed. These are such drawbacks in the estimate of an officer's qualifications for command, that they may be allowed to palliate errors arising from them, while they augment the respon-

the Burmese, it is more than probable they would have slipped out of the toils, and the exposure of the troops would have been so prejudicial, that even success could not warrant a movement after the rains had once inundated the country.

* Their existence, as regards Brigadier-General Morrison, were obvious at the very commencement of his career. From the sudden call for a large force on the Chittagong frontier, the corps were ill provided with shelter against the rains; the face of the country, too, was unfavourable to the compact cantonment of a large force; broken and detached hillocks and ridges intersect low grounds; the eminences are generally too abrupt, and their surfaces too small to afford sites for lines. The corps were, therefore, scattered over such declivities or low grounds as were most favourable, on a range of upwards of five miles extent. Under such circumstances, an officer of any experience would avoid all unnecessary exposure of his troops during the heavy rains and fogs which follow at the close of the season. Brigadier-General Morrison adopted an opposite course, and introduced into practice at Chittagong a system of daily grand guard mountings, with pickets and patrols, besides frequent parades and inspections,—all essential and highly beneficial in proper place and season. But the rigid mode in which these formalities were practised at Chittagong, neither a fit place for aping Horse-Guard shows, nor the details of a beleaguered camp, led to the most fatal consequences. Before the

sibility of the authority in whom the selection to command is vested.

The general and personal staff attached to Brigadier-General Morrison's army consisted of one Deputy-Assistant Adjutant-General, (Lieutenant and Adjutant Scott, his Majesty's 44th Foot,) one Aid-de-Camp, (Lieutenant Hawkins, his Majesty's 4th Foot,) one Military Secretary, (Lieutenant J.F. Bellew, 62d regiment Native Infantry,) one Field-Engineer, (Lieutenant Thompson,) one Deputy-Assistant Quarter-Master General, (Capt. Drummond,) one Assistant and one Sub-Assistant Commissary-General, (from the general staff in Bengal,) one Deputy Paymaster, and one Superintending Surgeon. Captain Schalch, with official rank of Major, (a novel and most unjustifiable piece of favouritism on the part of Sir Edward Paget, though exercised on a deserving officer,) had several surveyors under him in the Extra Pioneer or Pontoon corps. Some additions and changes in the staff took place during the campaign, but the above detail was its original extent.

1824, Nov. 1.—A military road from Chittagong to the Naaf, was begun and actively prosecuted by a detachment of the regular Pioneer regiment under Captain Wilkie, with the aid of such of Major Schalch's Extra Pioneer and Pontoon corps as were then raised. This corps was directed to be formed by the orders of Government of the 16th Sept. 1824; and as several officers of the survey department were attached to it, their duties were assimilated both to the survey and Quarter-Master General's departments; but Major Schalch was specially placed under

period for opening the campaign arrived, several of the Native regiments (27th, 30th, and 45th) were reduced, by death and disease, to skeletons, and were, in consequence, ultimately withdrawn from the army. However much the effectives of a corps might be reduced by sick in hospital, the full quota originally assigned for guards, picquets, and patrols, was exacted, and it not unfrequently happened that there was barely a relief for the wet, shivering, and agonising wretches who came off duty. The European force at Chittagong was fortunately small, and well housed. By the custom in India, this class of our soldiery take little duty beyond their own lines, so that the fatal effects of Brigadier-General Morrison's inexperience fell alone on the Native army. Had not a perseverance in the practice of those trifles, which constitute "the pride and pomp of glorious war," aggravated, if they did not lead to more fatal consequences in Arracan, minutiae of this kind would be unworthy of notice; but in a country where great evils spring from trifling causes, it cannot be waste of time to set up landmarks for future guidance.

One of the regiments noted above, having 600 men in hospital, the circumstance was brought to the particular notice of the Commander-in-Chief, who, in his wisdom, issued a reprimand to its European officers for not keeping up the spirits of their men; whether this adverted to cause or effect, it argued as little thought for, as knowledge of, the Native soldier. We presume it was at least expected that these poor Hindoos and Musulmans, with sweet words, would take a portion of comforting caudle and panada from the hands of their Christian officers.

Brigadier-General Morrison, and independent of either of those branches of the General Staff.*

The Commissariat Department had not matured arrangements for the carriage and supplies of the army until late in January 1825; the delay, therefore, in the march of the Native corps destined to complete the army, occasioned by the mutiny at Barrackpore, was of no account, however unhappy the effect of such event on the morals of the Native soldier, and on the European also; for when the latter was arrayed against the former, the cordiality and esteem which had till then prevailed between them were destroyed.

The pontoons, which were of a very elaborate structure, did not leave Calcutta until late in January; they were intended to be equally adapted for land transport, and for conversion into boats or punts where pontoons were inapplicable. Much ingenuity and research had been displayed by Major Schallch in the construction of them; but as this officer wanted that portion of the knowledge of his art which can only be acquired by practical experience, the plan was altogether defective, and an apparatus was produced, that trenched too largely on the stock of draught cattle with the army, which, when set in motion, could not keep pace with the troops, so that, as a pontoon train, it was never brought into use.† When the troops crossed the Meyhoo, the pontoons were in the rear; and though they did, we believe, reach the north bank of this estuary, the tardy movements of the army had so outstripped the still more tortoise-like motions of the pontoon train, that it was left on the Meyhoo unnoticed, if not forgotten.‡

* The precedent is one of the worst tendency with regard to the army in general, and as affecting the chiefs of two most important branches of the staff, the Quarter-Master and Surveyor-Generals. The independence of Major Schallch's corps was a measure to be acquiesced in by none who were alive to their own reputation, or unwilling to register inability to preside over departments at the head of which they were placed.

† Sir Edward Paget had an inspection or review of the pontoons before they left Calcutta, and highly approved of their fitness for the intended service,—thus sanctioning the enormous outlay of nearly 30,000 rupees for a dozen or two of machines too heavy to be transported by land: pretty play-things enough for an exhibition on our Calcutta Serpentine, but totally unfit to combat the waves and currents of an Arracan estuary.

‡ Great would be the edification were some Gazetteer to rise up and compose a history of inventions, or rather, their practical application, in India, that land of WASTEFUL ECONOMY. We might, after such an exposure, hope to see the Indian army supplied with all those collateral arms and equipments which experience has introduced and perfected in Europe. The fate of Major Schallch's pontoon train will generally follow all attempts at improvement introduced on the *spur of the occasion*; and it may be feared that this lesson, instead of leading to the gradual organization of a small and efficient pontoon corps, may operate to deprive the army for ever of so essential an auxiliary. It required all the private influence of Major Schallch to introduce the experiment;

The force placed under Brigadier-General Morrison was composed as follows, viz :—Brigadier-General Macbean, his Majesty's 54th Foot, second in command.

Cavalry.—2d or Gardner's Irregular Horse, Lieutenant-Colonel Gardner commanding.

Artillery.—From Bengal, 2 companies European, and 2 Native ; Madras, a detachment of nearly one company of Europeans, under Lieutenant-Colonel Lindsay.

The train consisted of two 24-pounders iron carronades ; four 12-pounders brass ; sixteen 6-pounders brass ; ten 5½-inch howitzers ; two 8-inch mortars ; four 5½-inch mortars.

Pioneers.—Four companies, each nominally 140 men strong, under Captain Wilkie ; 3 companies extra, or Pontooners, under Major Schaleh.

Infantry.—1st Brigade, his Majesty's 44th Foot, 26th and 49th regiments Bengal Native Infantry, under Brigadier William Richards, Honourable Company's service. 2d Brigade, his Majesty's 54th Foot, 42d and 62d regiments Bengal Native Infantry, under Brigadier-Colonel Grant, his Majesty's service. 5th Brigade, 10th and 16th regiments Madras Native Infantry, under Brigadier Fair, Honourable Company's service. 1st and 2d battalions of Bengal Light Infantry, and the Mug Levy, not brigaded ; 40th regiment Bengal Native Infantry in occupation of Cheduba and Ramree.

Reserve, stationed at Chittagong, under Brigadier-General M'Kellar of his Majesty's 1st Foot ; 27th and 30th regiments

and the benefit of his labour will be lost from a failure that might have been expected under the circumstances in which the attempt was made. Another little trick of *wasteful economy* hinged on the experiment of the pontoon train. The late Adjutant-General of the Bengal army, whose scientific attainments were at least on a par with his other qualifications for office, had an instinctive horror of all innovations ; during the reign of Lord Hastings, whose expansive mind could extract grain from the chaff in which his Adjutant-General lost himself, many innovations were introduced ; amongst the number, a corps of Sappers and Miners was organized ; and the Court of Directors sent to India a small body of excellently trained Europeans to form a nucleus to this important establishment. The Adjutant-General, it would seem, could ill brook such an encroachment on the unchangeable institutions of the Indian army ; and as Lord Hastings was gone, before the birth of a Pontoon Train, the event furnished an excellent occasion for breaking up the Sapper staff, by drafting the Europeans, who had been schooled under Colonel Pasley in one line of their profession, into another totally foreign to their habits ! Off they were moved to the Naaf ; and when the Pontoon Train failed, these hateful germs of science were equally neglected and forgotten. When Sappers, in December 1825, became a desideratum, these men had hardly been restored to their proper station in the west of India ; but they had, by their judicious disposal, been *untaught*, and Bhurtpoor became a school, instead of a display of their proficiency. These men, however, achieved wonders, and proved by the result how long well-trained soldiers can resist the rust of inactivity and defy neglect.

Bengal Native Infantry, 1st and 2d battalion of Bengal Grenadiers, and one Provincial battalion.

From the above detail, the effective force for service in Arracan, exclusive of the Reserve, cannot be estimated at lower than 12,000 men, all arms included. The Reserve, with the depôts at Chittagong, might amount to 4,000 men, but as two of the regiments, the 27th and 30th Native Infantry, were greatly reduced by sickness, its effectual strength might not, when General Morrison took the field, exceed one half that number.

To this formidable array of land forces, a very extensive naval co-operation, under the direction of Commodore Hayes of the Honourable Company's Bombay Marine, was organized; the exact strength of this armament we have not the means of detailing, but it included several of the finest Bombay cruisers, armed surveying and pilot vessels, a number of transport ships, and a gun-boat flotilla of such extent as to be formed into five divisions. We have already adverted to the origin of the gun-boat flotilla as an inapplicable and wasteful project, when directed against a state utterly destitute of a marine; for surely the war-boats in Pegu, Ava, and Arracan, will not be allowed this dignity.

The Government, finding it difficult to prosecute the war with such talents at its command as Messrs. Swinton and Co. afforded, embraced the alternative of looking to the General for a suitable substitute. Never was choice more unhappy; for, however amiable Sir Edward Paget might be in private life, innate indolence, combined with a dogged obstinacy of disposition, unfitted him for a judicious exercise of the intellect he possessed. Apparently incapable of mental exertion, even the dispatch of current details was an overwhelming occupation, from which he was said to turn with disgust. Such a character would naturally fall into the hands of men of an equally elevated class, and, in confirmation of the old adage, that 'wise ministers denote wise princes,' Sir Edward Paget's cabinet consisted of Commodore Hayes, Sir S. F. Whittingham, and Colonel Stevenson. They may all be very honourable and well intentioned men; indeed, we can vouch this from our knowledge of Commodore Hayes and Colonel Stevenson; with the Knight we are not acquainted, though the public voice attributed no small share of the calamities that occurred during the whole of this war to his pernicious counsels and influence with Sir Edward Paget. In this divan, each individual counselled according to his particular bias. The Knight, who had written a treatise on the movements of cavalry, was all for horse; and that the '*ne sutor ultra crepidam*' might be equally maintained, the honest Commodore saw safety and success in a marine: but, *revenons à nous moutons*.

Jan. 7, 1825.—The whole of the troops forming the south-east division of the army, having either reached or drawn near to

Chittagong, his Majesty's 44th, and 62d regiment Native Infantry, marched for Cox's Bazar, the first point of rendezvous.

10th.—General Morrison, with two companies 42d Native Infantry, moved with the head-quarters.

13th.—His Majesty's 54th, 10th and 16th regiments Madras Native Infantry, embarked for Cox's Bazar; 26th Native Infantry marched.

14th.—The remainder of the force, including the 2d Light Infantry, marched from Chittagong. Cox's Bazar lies 100 miles south from Chittagong, and 40 miles from Teak Naaf or Mongdoo. January closed in uniting the army and its depôts at this point, and maturing arrangements for crossing to the south bank of the river Naaf. In the latter operation, the transports and vessels under Commodore Hayes were of essential service; indeed, the line of advance along the sea-shore was greatly influenced by the command the army had of sea transport.* Utter ignorance of the nature and direction of the roads through Arracan must have precluded General Morrison from adopting the short line of operations by a more easterly or inland route, if he had not been more effectually deterred from the state of his commissariat equipments, which barely afforded land carriage for the camp equipage and stores of the army, with supplies equal to seven days' consumption. The sea therefore presented the only medium to obviate this gross defect; but the difficulty of an advance along the windings of the coast may be imagined, through an uncultivated country, backed at no great distance by high ridges of hills, pouring their tributary streams into the ocean at every step of the route. Under such circumstances, the skill and conduct of a commander must not be estimated by the distance traversed, but by the measures resorted to in the removal of obstacles that impede his progress. When judged by this rule, General Morrison will merit the praise of having used to the best advantage the means placed at his disposal.

Feb. 7.—A detachment took possession of Mongdoo on the 1st, without the appearance of an enemy, and the army crossed the Naaf during the first half of the month; once established in

* After the army had been some weeks in possession of the capital, the Deputy Assistant Quarter Master General ascertained that the Burmese communicated with their frontier station of Mongdoo on the Naaf by a direct route across the hills. The road (called excellent by comparison with that taken by the army) was traced from Arracan to Mongdoo; though then much overgrown by brushwood from disuse, and in some of the passes steep and rugged, the route was one of military communication which reduced the distance one half, while it avoided all the watercourses and inlets which obstruct the march by the sea-shore.

Arracan, the labour of opening roads was vigorously prosecuted, and by the 20th of the month carried near the bank of the Meyhoo, a distance of fifty-one miles.

22d.—The advance, consisting of his Majesty's 44th, and 16th Madras Native Infantry, and 2d Bengal Light Infantry, encamped on the north bank of the Meyhoo, having made five marches from Mongdoo; Mug boats, with the commissariat supplies, entered that inlet on the 26th and 27th of the month. While the army was patiently threading its way towards the Meyhoo, Commodore Hayes proceeded into the Arracan river, and sailed up the Ooreatung or southern branch of the estuary, which leads to the capital, and is divided from the Meyhoo by several islands, with tide channels between them, similar to the lower sunderbunds in Bengal. On the day the advance encamped on the Meyhoo, the Commodore, with the *Research* and *Vestal* cruizers, gun-boats, &c. &c., having one company of European infantry on board, stood up the Ooreatung, although his presence was urgently required on the Meyhoo.

23d.—Having gained the narrow channel formed by the Kalabung and Changkrain islands, Commodore Hayes resolved to commence hostilities by an attack on the enemy's stockades at Chamballa, influenced by a report that certain discontented chiefs, with their followers, desirous of joining the British, were placed under restraint at or near Chamballa. Had the Commodore not assigned this as his reason, it would have looked like the sneer of enmity; for, independent of the obvious imprudence of opening the campaign with no other support from the army than one company of infantry, it would not fail to strike a person of the most ordinary capacity, that when disaffected chiefs are placed under surveillance, an outwork, which was the key to an extensive line of defence, was the last station in which they would be placed. Such were not Commodore Hayes's conclusions, and he therefore proceeded to stake the safety of his squadron and the credit of the British arms by an ill-timed attack on Chamballa. As the foremost vessels approached the stockades, a fire was opened, in the face of which, the *Research*, bearing the Commodore's flag, and carrying the heaviest battery, was gallantly laid within pistol-shot of Chamballa: the nature and extent of the enemy's works was only now discovered by the fire opened from them. The *Research* was naked and exposed on every quarter; the cannonade was, however, persevered in for two hours without making the slightest impression, when the ebb-tide forced a retreat, which was effected with much difficulty; several vessels grounded, including the *Research*, *Asseergurh*, *Asia Felix*, and *Isabella*. An enemy of any enterprize might have destroyed these vessels before they floated with the return of the flood; the Burmese, however, content with

foiling the attack on their stockades, made no effort to render the defeat more signal.

It were waste of time to expatiate on the folly which could prompt an attack on Chamballa, the strongest point of the lines that defended Arracan, and only ten miles from that city. Whatever resources in men and material the enemy possessed could reinforce the point attacked, while the army was nearly thirty miles distant, precluded from a nearer approach without the aid of naval co-operation. Injurious as were the effects of Commodore Hayes's rashness, the waste of life,* credit, and time, were not the only evils springing from the affair of Chamballa. General Morrison, it is believed, felt keenly the blunder committed, and remonstrated with the Commodore, who, in reply, is

* Officers killed, Major Schaleh, Mr. Rogers, 2d officer of the *Research*, three privates of his Majesty's 54th regiment; wounded, thirty-two. Captain J. A. Schaleh was mortally wounded towards the close of the cannonade, and expired on the 25th. In him the service lost one of its brightest ornaments, worthy of association with the Lawtters and Davises of the Indian army. Captain Schaleh had proceeded in the *Research*, from sickness, and was rapidly recovering when his career was terminated at Chamballa. A passing tribute to the memory of this highly-gifted and promising officer, may at least be pardoned, though springing from feelings of personal regard. When Captain Schaleh entered the army as a Cadet of infantry in 1809, he possessed no attainments to raise him above his compeers; accident placed him at an outstation with Colonel Charles Crawford, (late Surveyor-General,) and Captain George Everest (late Trigonometrical Surveyor of India). Colonel Crawford directed young Schaleh's pursuits to surveying; a bent once given, his active and intelligent mind, by application to mathematical studies, aimed at the highest branches of the art. Assisted by Captain Everest, (one of the first mathematicians in India,) and encouraged by Colonel Crawford, in the quiet retreat of Etawah, Captain Schaleh laid a solid foundation for his future advancement. After employment in various surveys, Captain Schaleh became Surveyor to the Lottery Committee, a board for the improvement of Calcutta. While engaged in this capacity, the navigation which so imperfectly connects the capital with the northern and eastern provinces, excited Captain Schaleh's attention; various projects for its improvement terminated in his appointment as Superintendent of canals and bridges. The breaking out of the Burmese war closed the treasury to all issues for peaceful purposes, and Captain Schaleh's services were first directed to the construction of lines for the defence of Chittagong, and subsequently to the organization of a corps of Pioneers and Pontooners. On these novel pursuits Captain Schaleh entered with all the ardour that marked his character; unacquainted with the practical application of pontoons, and with all the details of actual warfare, he sought, in the resources of his own mind, and in treatises within reach, for information to guide his labours: experience alone was wanting, but this he was in the high road to attain, and all who are acquainted with the devotion, ardour, and intense application of this highly-gifted officer, doubt not that, as a field engineer, or Quarter-Master-General, Captain Schaleh would have attained the elevated rank previously acquired as a civil engineer, and in some of the most scientific branches of the military profession. With such qualifications and indication of far higher attainments, fell ingloriously, at the age of thirty-two years, Captain J. A. Schaleh, 29th regiment Native Infantry. While the public may lament the loss of useful talent, there are others who feel most poignantly that in the grave of John Schaleh is laid the warm-hearted friend and the kindest of relatives.

stated to have supported his independence by denying the right of the General to interfere with his arrangement, and refusing to report his operations to the military authority: the case was, it is understood, referred to Government; but Commodore Hayes is supposed to have discovered his error, and changed his tone towards General Morrison before a decision could be received.

Immediately after the repulse at Chamballa, the greater portion of the flotilla proceeded to Meyhoo, leaving the heavy squadron in the Ooreatung estuary, where it was judiciously employed in keeping open the communication with the sea, and in driving the enemy from isolated stockades, which obstructed a free entrance.

Feb. 26th.—Brigadier General Macbean, with his Majesty's 54th, and part of the 5th Brigade, under Brigadier Fair, were crossed over the Meyhoo to the south bank of the Ooreatung, where an encampment was established; the naval force co-operating for its defence.

March 3d.—The Artillery, his Majesty's 44th, and a wing of the 2d Light Infantry, joined General Macbean.

4th.—General Morrison, with the head-quarters, joined the advance, and fixed his principal camp at Keykraindong, while another, with the artillery, was established on the nearest point of the island of Changkrain.

6th.—Brigadier W. Richards, with the rear division, reached the Meyhoo; the 1st Light Infantry battalion, which had left Chittagong on the 1st inst., being the only corps to come up.

7th.—The 42d Native Infantry, a wing of the 2d Light Infantry, and part of the 16th Madras Native Infantry, crossed from the Meyhoo to Keykraindong; a part of the cavalry ferried to Oondaing, a point of the nearest island, whence they marched to the Ooreatung river.

17th.—Great exertions completed the transport of the army, including its draught cattle, from the camp at Meyhoo Moo to Keykraindong. Much heavy baggage was left on the Meyhoo, protected by a force formed of a company drawn from each corps. The operation of crossing an army over two estuaries, and an intermediate sundbund passage of fifteen miles, between islands, forming altogether a navigation of *three tides*, was an arduous undertaking, in which the naval armament displayed the greatest zeal and activity. The gun-boats here became very useful, and would have been still more so, had their equipment been solely directed to transport, instead of incumbering them with ordnance that was never required.

21st.—A reconnoissance, conducted by Lieutenant Thompson, the field-engineer, was pushed forward about seven miles to the village of Pahdoo, at the foot of a pass leading through a ridge

of hills of the same name. For the first time, the enemy exchanged shot with our troops, opening a desultory fire when favoured by jungle or heights; but the party of two hundred men, including thirty Europeans, returned without loss.

24th.—Arrangements for an advance on Arracan being matured, General Morrison, with the 2d Brigade, took up a position at Chabatubeong, within two miles of the enemy's advanced force, which occupied the Pahdoo hills. Brigadier General Macbean, with the 5th Brigade, was to move from Keykraindong as soon as the Commissariat could supply cattle; that camp would then be left under a field-officer, with one company from each corps, and a rissala of cavalry. Thus far the Burmese had made no efforts to impede General Morrison's movements,—a want of energy and foresight that can only be accounted for by the uncertainty of the point on which the gathering storm would burst. While actively removing the scene of operations to the southern bank of the Ooreatung estuary, a strong force was retained on the Meyhoo, and the squadron continued to threaten the intermediate works at Chamballa; so that a more enlightened enemy might have been bewildered; it must, however, be confessed, that the Burmese in Arracan never supported their reputation, or emulated their countrymen engaged in Pegu. General Morrison's judicious arrangements and caution left little to chance; the ultimate approach to the capital from the south-west, by an army invading from the north, turned the strong lines of defence which had been prepared to cover the city on the north and west, the expected points of attack.

25th.—Bridges of boats, &c. were thrown over the Chabuttu and Wabrang rivers. The flotilla under Commodore Hayes was disposed to favour the projected advance; one division occupied the Chamballa reach to the north-east, and strengthened the posts on Changkrain Island; a second division lay to the south of that island, supporting the camp at Keykraindong; a third division was to advance in communication with the left column of attack, and the reserve of two divisions of the gun-boat flotilla, with the vessels laden with stores, commissariat supplies, &c., was to follow and join the army as near the capital as practicable.

26th.—The army, furnished with *two* days supplies, at day-break filed across the Wabrung, and was then formed into four columns, viz.:—Right, Brigadier Grant, one twelve and two six-pounders, one company of Pioneers, one company 2d Light Infantry, and the 2d Brigade.—Centre, Brigadier W. Richards, two twelve-pounders, and two howitzers, one company of Pioneers, two companies 2d Light Infantry, and the 1st Brigade.—Left, Major Leslie, his Majesty's 54th, one division gun-

boat flotilla, two companies of Mug Pioneers, two companies his Majesty's 54th, two companies 2d Light Infantry, and rifle company of the Mug Levy. Reserve, Lieutenant-Colonel Walker, his Majesty's 54th, one twelve and two six-pounders, four companies of Pioneers, cavalry, three companies his Majesty's 54th, and five companies of Native Infantry.

The right and centre columns moved on the passes leading through the Pahloo hills; the left in the gun-boats, under Captain Crawford, Honorable Company's Marine, up the river, but the shallows soon compelled Major Leslie to disembark, and attempt to gain the rear of the Burmah position by the river bank. The Light Infantry of the centre column, in about an hour, gained and carried the slight intrenchments on the Pahloo ridge, and cleared the summits of the enemy. On the advance of artillery to their stockade, the enemy retired to a superior ridge. Major Leslie's route being obstructed, his column joined the centre, and on the approach of the Grenadiers of his Majesty's 44th, and 49th Native Infantry, the enemy gave up the principal pass, through which, by slightly retrograding, the several columns filed.

On clearing the pass, the front presented an extensive level track, intersected by tide-streams, and overrun with jungles; the advance was continued to the Jeejah Nala, across which Lieut.-Colonel T. P. Smith, with a few companies 49th Native Infantry, was pushed; the Burmese now approached Lieutenant-Colonel Smith in great force, supported by cavalry; the cbb admitted the army to cross the Jeejah, but the columns had barely time to debouche from the fords, when the Burmese hurried back to their lines at Mehattee. It was 2 P.M., when a bivouac was ordered by General Morrison; the troops had been in motion since day-break, the artillery and reserve, from the obstacles which impeded their progress, were not in position until midnight. By this day's operations, the army, with the loss of only sixteen men wounded, had driven the enemy seven miles nearer their capital, over a very intricate and difficult country; but the resistance experienced, and the slight field-works, are unworthy of mention as obstacles. The Burmese having no longer room to doubt the point of attack, evacuated their stockades and works at Chamballa, and opened that route for the further advance of the flotilla towards Arracan; the divisions left near Keykraindong now joined the division in the Chamballa reach.

27th.—Major Carter, with three companies of his Majesty's 44th and the Light Company his Majesty's 54th, drove the enemy from a small hill in front of their lines; while the columns moved towards the Mehattee river, which now separated them from the enemy, who appeared resolved to dispute the passage.

The river was not fordable until low water ; the banks steep and scarp'd ; stakes, and an intrenchment along the opposite margin, covered the Burmese lines, and on the extreme flanks, epaulments were thrown up to prevent enfilade. In the rear of this position, rose several conical heights, surmounted by temples of Guadma, all apparently occupied as points of defence.

On the advance of the British, the enemy opened a fire along his whole front ; a battery of four twelve, and two six-pounders, with two five and a half-inch howitzers, placed on the height occupied by Major Carter, had great effect. During these preparations, a body, estimated at fifteen hundred men, appeared on the right flank, but retired altogether from the field when the 1st Brigade made a demonstration of attack ; this was supposed to be the late garrison of Chamballa.

As soon as the fall of the tide opened the fords, the 2d Brigade attacked the left ; the 1st Brigade, with two risalas of cavalry, the centre ; followed by the artillery, reserve, &c. The 2d Brigade had no sooner entered the bed of the river, than the enemy broke up and retired from his position ; a body of cavalry was pushed across the Mehattee on the extreme right, in time to press the rear, and save the bridges of communication on the line of retreat. The steep banks and slimy bed of the Mehattee, rendered the passage of the army a tedious operation, but, in two hours from the advance on the works, the troops were in full possession of the lines of Mehattee, at the expense of one man killed, and sixty wounded.

28th.—Brigadier-General Macbean, with the 5th Brigade and stores, had been greatly delayed on his march from Keykrain-dong, from a want of sufficient carriage cattle ; the head of his column, however, appeared while the army was yesterday forcing the Mehattee, and the whole body joined this morning. To-day a halt was made to establish communications with the rear, and to enable the flotilla under Commodore Hayes to bring up the supplies and heavy stores ; both objects were attained by the evening, and a partial reconnoissance of the new position taken up by the enemy was attempted.

29th.—A heavy fog delayed the movements of the army, while it concealed the nature and strength of the position to be assailed ; the advance lay through broken ground, interspersed with hills, until the troops debouched into a valley running parallel with a range of wavy hills at right angles to the line of march. This range was occupied by the Burmese army to defend the capital. The valley along the base of the hills (which rise to an elevation of three hundred and fifty or five hundred feet) was completely commanded, and no where presented a width sufficient to place the assailants without range

of fire. The slope rising from the valley was partially scarped, the defiles and approaches near the base obstructed by abattis; at a dip in the range lay a road or pass to the city of Arracan. So defective was General Morrison's information, that the ridge about to be assailed was estimated at five miles distance from the capital, instead of which, the city of Arracan was found to be under the opposite or northern face of the heights.

The pass was defended by several pieces of artillery, and two or three thousand men; the whole force of the enemy in position, estimated at eight or nine thousand men, was collected for the great struggle. General Macbean, who conducted the advance, halted the head of his column under cover of a tank or reservoir, and from that point directed a precipitate attack on the gorge and heights which form the pass, covering the attacking body with four pieces of artillery. The light company of his Majesty's 54th, six companies of the 2d Light Infantry, and the rifle company of the Mug Levy, supported by six companies of the 16th Madras Native Infantry, composed the attacking force under Major Kemm, who directed his assault on the heights and works which commanded the pass. The attack failed, after the display of great personal exertion by Major Kemm, who was gallantly supported by his troops: the column was forced to retire, leaving on the ground the artillery, which had been pushed forward to cover the retreat. The enemy's fire was too heavy to admit the removal of the guns and many of the wounded for several hours, though they were ultimately brought off, in doing which, numerous instances of personal devotion and gallantry were displayed.* The troops appear to have done their utmost throughout the day, the Natives emulating the conduct of their European comrades; indeed, a havildar of Native Light Infantry particularly attracted the attention of both officers and men, by the lead he took in the assault.

General Morrison had incautiously fallen on the strongest point of the enemy's lines; on the defences of the pass, strong by nature, the Burmese had exercised considerable labour and skill; during the assault, an ineffectual fire was opened on other parts of the heights, and not entirely discontinued until the close of the day. A camp was marked out for the army after the failure; the loss sustained on this day, was fifty-one killed, and one hundred and twenty-one wounded; amongst the former, a very gallant officer of the Madras army, Captain French, 16th Native Infantry; and, amongst the latter, Major Kemm, 50th Bengal Native Infantry, who commanded the assault.

30th.—Employed in a general reconnoissance of the enemy's

* A man of the Bengal artillery, of the name of Volkers, received a medal from the officers of the 16th Madras Native Infantry, as a reward for his gallantry in bringing off a distinguished Native soldier of that corps, who had fallen in the contest.

position, and in preparations for a battery of two twenty-four, and four twelve-pounders, with two five and a half-inch howitzers, to open on the pass. Broke ground at half-past seven, P.M., and at three the next morning, Lieutenant Thompson had completed the battery. Loss, two men wounded.

31st.—The battery opened at day-light, and continued a heavy cannonade throughout the day, without entirely silencing the enemy's fire. During these demonstrations against the pass, Lieutenant Wroughton, of the Quarter-Master-General's Department, had been employed to trace a route to the height forming the extreme right of the Burmese position, which, being difficult of access, was observed to be defended by a weak garrison, compared with other parts of the ridge. The dismay occasioned by the failure on the pass, induced General Morrison to agitate, in a council of war, the question of future operations: the point of attack being named, the General asked who would undertake to conduct the enterprise? Brigadier W. Richards, H.C.S., tendered his services, which were thankfully accepted; and to this officer, experienced in mountain warfare, the direction of this important movement was intrusted. At 8, P.M., Brigadier Richards marched with 30 dismounted troopers, 40 pioneers, six companies of his Majesty's 44th, 30 seamen, three companies of the 26th, and three of the 49th N. I. The advance was led by the dismounted troopers, two companies of his Majesty's 44th, Major Carter, and the grenadiers of the 56th Native Infantry. After a toilsome march of three hours, the point of attack was gained, when the enemy opened a hasty and ineffectual fire; this was answered by a rapid advance on the stockade, which Brigadier Richards carried at the point of the bayonet, without firing a shot, or losing a man. At half-past eleven, A.M., a signal rocket was discharged, and the drums struck up to announce to General Morrison the success of the attack. The position thus easily won, was four hundred and forty feet in elevation. The Brigadier soon placed his acquisition in the best state of defence that time and his means afforded, while Lieutenant Wroughton, who had so skilfully conducted the force, returned to report the result to the General, who forthwith detached the residue of the 1st Brigade, and two six-pounders, to Brigadier Richards's support. So rugged was the nature of the ascent, that the elephants with the guns were six hours in gaining the stockade.

April 1st.—The enemy, as the day dawned, opened a fire on Brigadier Richards's post upon the nearest summit, which was silenced as soon as the six-pounders could be got up, when a successful assault immediately followed, and continued along the ridge towards the pass, the Burmese making little resistance. General Morrison, at the same time, directed Brigadier-General Macbean to attack the pass, but this officer met with no opposi-

tion, as the whole position had been turned by Brigadier Richards's success. The enemy abandoned the line of heights, and fled in great consternation, leaving to the victors the city of Arracan, and with it the peaceful occupation of the entire province. The Burmese army was so dispirited by this reverse, that it broke, and hastily retired across the mountains into Ava. General Morrison was not prepared, it would seem, for such a flood of success, as no arrangements were matured to follow up and harass the retreat of the enemy.

April 2d.—A small force moved and returned the second day ; though it inflicted no loss on the Burmese, it hastened their movements, and captured stores and several elephants which had been abandoned by the fugitives. It was reported that the wild hill tribes exacted on this occasion a severe retribution for sufferings imposed on them by the Burmese : there is reason to believe such reports are exaggerated, and that the enemy's sufferings were chiefly from privation and fatigue, in a flight through a wild and barren track without supplies.

The city of Arracan, which comprises the greatest portion of the entire population of the country, was estimated to contain four hundred and ninety thousand inhabitants, and about eighteen thousand houses. Of these last, one half had been destroyed by fire ; but in sixteen days, twenty-five thousand inhabitants had returned to their houses, and the city was again enlivened by the peaceful occupations and busy hum of men. General Morrison preserved strict discipline in his army, and sanctioned neither invasion of private property, nor the destruction of religious edifices, to gratify a craving for prize-money. In this respect, the Arracan Commander, as far as we can learn, is placed in strong contrast with the conqueror of Pegu.

13th.—An officer of the Quarter-Master-General's Department having traced, for twenty-two miles from Arracan the route by which the Burmese retired, reported that it lay by narrow pathways, over a rugged and difficult country ; eleven ridges of hills and as many streams being crossed in that short distance.

16th.—The flotilla of thirty gun-boats, with nine armed vessels and transports, sailed for Cheduba and Ramree. Brigadier General Machean and Brigadier Fair, with four guns, 500 Europeans from his Majesty's 44th and 54th Foot, with the 16th Madras Native Infantry, 750 strong, were embarked for the purpose of uniting with the troops already at Cheduba for the reduction of Ramree, Sandoway, and the southern parts of the province of Arracan ; these ends were accomplished without farther hostilities, and the greater portion of the troops soon returned to Arracan. At this period, all objects embraced in the original formation of General Morrison's army, beyond the conquest of Arracan, were relinquished for the season. The

ignorance that prevailed regarding the routes leading from Arracan to Pegu and Ava, would have precluded a rational plan for prosecuting operations, had the season and an efficient commissariat admitted of a distant inland movement. General Morrison now resolved to canton his army, for the ensuing rains, round the city of Arracan.

May 12th.—The only movement to record was commenced on this date, when a light force under Lieutenant Colonel N. Bucke, 26th Native Infantry, was detached to Talak, to explore a route from thence across the mountains to Ava; the light companies of his Majesty's 44th and 54th, and 16th Madras Native Infantry, with three companies of the 2d Light Infantry, were embarked for Talak, arrived on the 18th, and joined the camp equipage, supplies, and cattle, that had proceeded by land from Arracan. Talak was a deserted place which never possessed the means of defence, though the vestiges of works to protect the landing-place were observable.

19th.—Lieutenant-Colonel Bucke moved with his camp equipage, &c. on twenty-two elephants, and proceeded in four marches to Akown, a distance of about thirty-seven miles.

24th.—The force was retired, and reached Talak by the stages advanced.

28th.—Lieutenant-Colonel Bucke embarked his troops, and on the 1st June rejoined the head-quarters at Arracan.

The route from Talak to Akown is described as rugged and difficult; the first march ascended a range of hills of 1200 feet elevation; the next ran over wavy ground; the third crossed several ridges of considerable height; and the last to Akown lay over steep ridges and broken ground; the rate of march did not on an average exceed one mile and a half per hour. No enemy was seen during this excursion, though it was evident the movement was closely watched; most probably by inhabitants of the country. At Akown, the remains of fires, &c. clearly indicated the vicinity of a number of men; the retreat, however, was influenced by the increasing wildness of the country, in which no sort of supply was obtainable; by the jaded state of the cattle, and by the weakness of the men from exertion and fatigue at so advanced a season. On the passage from Talak to Arracan the troops suffered from heavy falls of rain, and before they regained cantonment, sickness became extensive and alarming. Lieutenant-Colonel Bucke himself lingered in a weak and debilitated state until he reached Calcutta, where he expired on the 8th August following.

We have now traced the military operations of General Morrison to their close; two valuable months were consumed in conducting the army by a route of about eighty miles from the frontier of the capital, but it is understood he was restricted by his instructions from separating his forces; a chilling and

unwise policy, which, in the prevention of imaginary evil, cramps the display of energy and talent, while it exhausts zeal in idle precautions, instead of cherishing a spirit of confidence and activity in officers *selected to command*. It was thus that the zeal and energy of General Shulldham was paralyzed in Cachar, and if Brigadier Morrison escaped a similar fate, it was because a greater facility of transport neutralized in some degree the trammels imposed by Sir E. Paget's instructions. General Morrison had to feel his way at every step, and to wait patiently for the construction of bridges, roads, and crossing over ferries; independent of these natural impediments, the prominent feature in General Morrison's measures was caution. Confining a view to the ulterior distinction of this army for the invasion of Ava or Pegu, a small spice of dash and enterprise was desirable to achieve the conquest of Arracan in less time; but when the want of resources for a march across the mountains to Ava be taken into account, the caution displayed, and small loss (thirty-two killed,* and two hundred and thirty wounded) at which victory was purchased, give to General Morrison's operations a character for prudence and foresight, creditable and praiseworthy. It was morally impracticable, with defective information, and a defective commissariat, to extend the operations beyond Arracan; a sacrifice of time, therefore, which assured the easy conquest of that province, was judiciously made.

The conduct of the troops, in endurance of fatigue and privation, and in the hour of action, supported the credit of our arms. General Morrison was not sparing in the issue of orders on the general merits of his army; but, in the particular enumeration of individual merit, the silence observed towards Major Kemm, after his gallant conduct in the affair of the 29th of March, and the slight notice taken of the distinguished services rendered by Brigadier William Richards, when viewed in contrast with the *eulogium* passed on the *services* of Brigadier-General Macbean, would argue a partiality in his Majesty's officers as discreditable to General Morrison as it was unjust to the individuals concerned.†

[We reserve the continuation of this subject, and a detail of the measures pursued for the occupation of Arracan, for a future Number.]

* Names of officers killed and wounded in Arracan.—Killed, Captain French, 16th Madras Infantry. Wounded, Lieutenant and Quartermaster Seward 16th Madras Native Infantry, Lieut. Clark, Major Kemm, Com. of Light Battalion, Captain Evanson, his Majesty's 54th, Captain Filton, Pioneers, Lieutenant Rutherford, Adjutant, Light Battalion, and Captain Maltby of the same corps.

† The Government General Orders of the 11th April 1826, on the termination of the war, in doing justice to Brigadier William Richards, have gone into the opposite extreme, and overlooked the merits of General Morrison, the Commander-in-Chief of the army.

LICENSERS OF THE PRESS.*

To the Editor of the Oriental Herald.

SIR,

September 9, 1826.

I OBSERVE that Blackstone as quoted, in page 414, (vol. x.) refers to the period in the reign of Charles II., when 'the act of licensing the press had expired.' The late Earl Stanhope in his 'Rights of Juries defended,' (1792) p. 65, has preserved a curious description of the manner in which that act was to be administered.

'Law books were to be licensed by the Lord Chancellor, or by one of the Chief Justices, or by the Chief Baron.

'Books of history, or books concerning state affairs, were to be licensed by one of the principal Secretaries of State.

'Books concerning heraldry were to be licensed by the Earl Marshal.

'And all other books, that is to say, all novels, romances and *fairy tales*, and all books about philosophy, mathematics, physic, divinity, or *love*, were to be licensed by the Lord Archbishop of Canterbury, or by the Lord Bishop of London for the time being; the framers of this curious Act of Parliament, no doubt, supposing that those *right reverend* prelates were, of *all* the men in the kingdom, the most conversant with all these subjects.'

The prelates, however, delegated the authority to their chaplains. These contented themselves, generally, with a simple *imprimatur*; though I have now before me a singular exception, in the case of Robert Boyle, who had occasion to ask permission of an archbishop's chaplain to publish one of his works. The chaplain, as if justly ashamed of such an application, has thus happily converted his legal permission into a well-merited encomium.

'IMPRIMATUR.

'Hic Liber, qui inscribitur *Occasional Reflections*, &c., quem 'censo reliquis ab eodem Cl. Autore Scriptis (neque; enim quicquam 'majus de eo dicere possum, ne minus debeo) nequaquam cedec.*

'THO. COOK. Reverend. in Christo Patri ac Dom Dom
'Gilberto Cant. Archiepisc. Sacellanus Domes-
'ticus.'

AREOPAGITICUS.

Es: ædil Lambethanis, Feb. 1, 1664.

* Let this book, entitled 'Occasional Reflections,' be printed. I think it not inferior to the other writings of the same illustrious author, nor can I say more of it, nor ought I to say less.

AFAR IN THE DESERT.*

By Thomas Pringle, Esq

AFAR in the Desert I love to ride,
 With the silent Bush-boy alone by my side ;
 When the sorrows of life the soul o'ercast,
 And, sick of the present, I turn to the past ;
 And the eye is suffused with regretful tears,
 From the fond recollections of former years ;
 And the shadows of things that have long since fled,
 Flit over the brain, like the ghosts of the dead ;
 Bright visions of glory, that vanish'd too soon,—
 Day dreams that departed ere manhood's noon,
 Attachments by fate or by falsehood left,—
 Companions of early days lost or left,—
 And my NATIVE LAND ! whose magical name
 Thrills to my heart like electric flame,—
 The home of my childhood, the haunts of my prime,—
 All the passions and scenes of that rapturous time,
 When the feelings were young, and the world was new,
 Like the fresh bowers of Paradise opening to view !
 All—all now forsaken, forgotten, or gone !
 And I—a lone exile, remember'd of none ;
 My high aims abandon'd, and good acts—undone,—
 Aweary of all that is under the sun,—
 With that sadness of heart, which no stranger may scan,
 I fly to the Desert afar from man.

Afar in the Desert I love to ride,
 With the silent Bush-boy alone by my side .
 When the wild turmoil of this wearisome life,
 With its scenes of oppression, corruption, and strife,—
 The proud man's frown, and the base man's fear,
 And the scorner's laugh, and the sufferer's tear,—
 And malice, and meanness, and falsehood, and folly,
 Dispose me to musing and dark melancholy ;
 When my bosom is full, and my thoughts are high,
 And my soul is sick with the bondman's sigh—
 Oh, then,—it is freedom, and joy, and pride,
 Afar in the Desert alone to ride !

* From the 'South African Journal,' No. 11., a periodical work commenced by Mr. Pringle at the Cape, but suppressed before it reached a third Number, in consequence of the censorship assumed by the Colonial Government.

There is rapture to vault on the champing steed,
 And to bound away with the eagle's speed,
 With the death-fraught firelock in my hand,
 (The only law of the Desert land,)
 But 'tis not the innocent to destroy,
 For I hate the huntsman's savage joy.

Afar in the Desert I love to ride,
 With the silent Bush-boy alone by my side :
 Away—away from the dwellings of men,
 By the wild deer's haunt and the buffalo's glen ;
 By valleys remote, where the oribi * plays,
 Where the gnou,† the gazelle, and the hartebeest‡ graze ;
 And the gemsbok § and claud || unhunted recline,
 By the skirts of grey forests o'ergrown with wild vine ;
 And the elephant browses at peace in his wood ;
 And the river-horse ¶ gambols unscared in the flood ;
 And the mighty rhinoceros wallows at will
 In the vley ** where the wild-ass is drinking his fill.

Afar in the Desert I love to ride,
 With the silent Bush-boy alone by my side :
 O'er the brown Karroo,†† where the bleating cry
 Of the springbok's fawn ‡‡ sounds plaintively ;
 Where the zebra wantonly tosses his mane
 In fields seldom cheer'd by the dew or the rain ;
 And the stately koodoo §§ exultingly bounds,
 Undisturb'd by the bay of the hunter's hounds ;
 And the timorous quagha's ||| wild whistling neigh
 Is heard by the fountain at fall of day ;
 And the fleet-footed ostrich over the waste,
 Speeds like a horseman who travels in haste,—
 For she hies away to the home of her rest,
 When she and her mate have scoop'd their nest,
 Far hid from the pitiless plunderer's view,
 * In the pathless depths of the parch'd Karroo.

Afar in the Desert I love to ride,
 With the silent Bush-boy alone by my side :
 Away—away in the wilderness vast,
 Where the white man's foot hath never pass'd,
 And the quiver'd Coranna, or Bechuan,
 Hath rarely cross'd with his roving clan :

* Antelope pygmæa. † A. Gnu. ‡ A. Bubalis. § A. Oryx.

|| A. Oreas. ¶ Hippopotamus. ** A marsh or lake.

†† The 'Great Karroo' is an uninhabitable wilderness, about 300 miles long by 80 broad, forming an elevated plain, or tract of table land, between the great ridges of the *Zwartbergen*, (Black Mountains,) and *Sneeubergen*. (Snow Mountains).

‡‡ Antelope pygarga.

§§ Antelope strepsiceros.

||| Equus quagga.

A region of emptiness, howling and drear,
Which man hath abandon'd, from famine and fear ;
Which the snake and the lizard inhabit alone,
With the twilight bat from his old hollow stone ;
Where grass, nor herb, nor shrub takes root,
Save poisonous thorns that pierce the foot ;
And the bitter melon, for food and drink,
Is the pilgrim's fare by the salt lake's brink :
A region of drought, where no river glides,
Nor rippling brook with ozier'd sides ;
Where reedy pool, nor mossy fountain,
Nor shady tree, nor cloud-capt mountain,
Are found to refresh the aching eye :
But the barren earth, and the burning sky,
And the blank horizon round and round,
Without a living sight or sound,
Tell to the heart, in its pensive mood,
That this—is Nature's solitude.

And here,—while the night winds round me sigh,
And the stars burn bright in the midnight sky,
As I sit apart by the cavern'd stone,
Like Elijah at Horeb's cave alone,
And feel as a moth in the mighty hand
That spread the heavens and heaved the land,—
A ' still small voice ' comes through the wild,
(Like a father consoling his fretful child,)
Which banishes bitterness, wrath, and fear,
Saying—' *Man is distant, but God is near!*'

FIRES IN FRANCE.

To the Editor of the Oriental Herald

SIR,

Warwickshire, September, 1826.

HAVING read in one of your late Numbers, some account of the manner in which fires are extinguished in Turkey, and the great sensation caused by such an event,* I have been induced to draw from my portfolio an extract of a very late letter from France, in which a fire is described, as witnessed in that country, where it seems to have created a still greater sensation, in proportion to its extent, than the conflagration described in the paper before alluded to at Smyrna. It is in moments of excitement chiefly that national characteristics appear most marked and prominent ; and

* See the Number for August 1826, vol. x. p. 296.

the scene portrayed by my friend appears to me so illustrative of the minds and manners of the people among whom it occurred, that I shall be glad to have it preserved in your pages.

H.

Extract of a Letter from an Englishman at St. Malo's.

'I was summoned from my letter by the jarring but not unacceptable sound of the dinner-bell; not unacceptable though it interrupted my correspondence with you, for I was hungry; and I confess that I felt little reluctance to resign, at least temporarily, 'the feast of reason and the flow of soul' for luxuries rather more substantial. My expectations, however, were woefully disappointed; dinner was interrupted by a scene which Washington Irving would have turned to good account, but which could be of no avail here, save to defraud my appetite, and weary your patience. We were duly seated around the table, the tureen was placed before our host, its cover was removed, and every one had assumed that look of business so suitable to the importance of the occasion,—when our landlady entered in an agony of terror, to announce that the great kitchen chimney had taken fire. In an instant all was confusion; the guests dispersed in different directions; the dinner, a strange thing in France, seemed utterly forgotten; and instead of the clatter of the plates, nothing was to be heard but the screams of affrighted women, calling for water in the name of God. Wondering that so slight an accident should cause so much alarm, understanding scarcely one word in ten of what was said or rather screamed around me, and not wishing to make useless inquiries of persons who were too much engaged to listen or to answer, I went to the window to see if the accident excited the attention of the neighbourhood. I found that the square in the front of the house was rapidly filling with people, and that the guard at the nearest post had been turned out, and was already stationed before the inn. I then descended into the kitchen, which I found filled with smoke. The people here, however, were taking proper measures, wet blankets were spread before the aperture at the bottom of the chimney, so as to deaden the draught, and there appeared to be nothing to apprehend. Nevertheless, the general panic seemed to have increased rather than diminished. I next went into the street, that I might observe if the house exhibited any symptoms of danger; I could, however, find nothing to excite fear. Volumes of smoke, indeed, continued rolling from the chimney, but no token of internal fire was anywhere else to be discerned. About this time a light cart arrived filled with leathern buckets; these were eagerly seized upon by the crowd, which was formed, under the direction of a subaltern officer, into a line, for the conveyance of water from a neighbouring cistern. The fire engine arrived; but what a fire engine! heavy, cumbrous, and ill made to the last degree. Previously to working this powerful piece of machinery, it

was necessary to remove it from the carriage on which it was conveyed ; for, elevated as it was, it could only have been worked by a company of giants. The engine being soon filled by the exertions of those appointed to that duty, the end of the pipe was elevated to the roof, and now I expected that operations would commence ; but, alas ! no sooner had the rusty spindles been compelled to allow the necessary vibratory motions than all the water which was by this means elevated began to ooze out at a thousand chinks in the dry and ill joined pipes ; still, by the increased efforts of those who worked the engine, the water gradually arose, notwithstanding the lavish waste by which we traced its progress. Soon, however, the weight of the rising column tore the weak leather in a vent, which ‘ gaped wide as Erebus,’ and the water quickly descended. The aperture, indeed, was immediately stopped by a cloth, which was wrapped round the pipe : but at every fresh effort new openings appeared, and at length the unfortunate engine was abandoned in despair.

‘The fire in the chimney, however, seemed to be very considerably extinguishing itself, and, to me, every pretence even for anxiety appeared to be gone. Happening about this time to see the English waiter of our inn, I applied to him for his opinion ; which he gave in manner and matter much as I had expected, by pronouncing the whole “ damned nonsense.” Nonsense, however, or not, the bustle proceeded, and a second engine arrived. Now, for the first time, I observed the firemen, who wore, however, no uniform, their only *insignia* being a kind of apology for an axe ; this instrument, both in form and size, much resembled a bricklayer’s hammer. The second engine was a little better than the first, and after great exertion was at length made to work ; there was, however, but little opportunity for witnessing its powers, as, unfortunately even the smoke had almost ceased to rise, before its waters began to pour. But so elated were the firemen with their success in producing an effect even thus far, that not contented with the quiet death of their enemy, they combated with him long after he had sought a peaceful grave, with as much ardour as if he had still been in the zenith of his power. Long before this time, many thousands of people had assembled, the square was filled, and the ramparts, which form one side of the area in front of the ‘Hotel des Voyageurs’ were crowded. The monstrous volubility with which every person present was delivering his or her opinion baffles all description. One might imagine that one heard all the discordant tones of ten thousand bagpipes, to which the constant and monotonous cry of ‘*de l’eau,*’ ‘*de l’eau,*’ seemed to form a huge drone. In the midst of the confusion, however, politeness was not forgotten ; and more than once, when I was giving, or attempting to give, any trifling assistance, the females of the house apologized with such expressions as ‘*Monsieur, j’ai peur que vous vous incom-*

modiez.' 'Monsieur, vous vous donnez beaucoup de peine.'
'Monsieur, je vous demande mille pardons.'

'No long time after the beginning of the confusion, happening to enter the dining-room, I found three ladies, attended by as many gentlemen, zealously engaged in the business of the table. This I thought was a good specimen of French indifference. Unfortunately I afterwards discovered that one of the gentlemen and all the ladies were English.

'At length there was no longer any pretence for continuing the war. All were obliged to allow, like Alexander, that there was nought left to conquer; and nothing now remained but to celebrate the triumph. Here, however, as elsewhere, we found that though

'All join the fray, yet few the triumph share.'

Most of the people rapidly dispersed of their own accord; and the tardy were reminded of what was proper, by the bayonets of the soldiers. I saw this gentle remonstrance applied to the breast of a boy about twelve years old, who had staid rather longer than *Messieurs les gens d'armes* thought altogether necessary. Indeed, several ragged urchins showed great unwillingness to depart, until one or two veterans ran after them with their sheathed swords; by which valorous charge the little rogues were at length effectually dispersed. After posting centinels at the different entrances to the inn, the soldiers at length marched back to their quarters. Notwithstanding their ridiculous conduct at the close of the affair, I must not omit to state that they gave real and valuable assistance, when assistance appeared to be wanted.

'It was now seven o'clock, and as we had eaten nothing since breakfast, we began to think a little seriously about the loss of the dinner, which we doubted not had been utterly spoiled in the confusion. We found, however, that at a French hotel, dinner was a matter of too much importance to be neglected, even in times of the greatest anxiety. It appeared that at the first symptom of danger, all the dishes had been carefully removed to another apartment, where they had been kept both clean and warm. They were now displayed in successive courses by the pretty Breton waiting-maids, whose round faces smiled as good-humouredly as before; our landlady looked as blooming as ever; the dinner was in excellent order; in a word, all was well; and we heard nothing more of the fire, save that a flock of old women cackled over the matter under the window of the dining-room, and that our host, at the close of what a mere Englishman would call a prodigious meal, affectingly lamented that the alarm had deprived him of all appetite.'

CAPTAIN MACNAGHTEN.

Two printed pamphlets of 152 pages octavo, containing a full report of the proceedings of two courts-martial held in India, and an open letter, of 16 foolscap folio pages, have been left by Captain Macnaghten at the Office of the 'Oriental Herald,' with an open note to the printer of this work, stating that the letter was intended for publication in its ensuing Number, and adding, that if there be no objection, he would like to see a proof. To say nothing of the pamphlets, which, being already printed, may be widely circulated without our aid, it will be sufficient perhaps to give the opening sentence of the written letter, to show how difficult it is to know when a controversy is to end, and how necessary it is to set limits to what might otherwise become interminable. The author of the letter, addressing the Editor, says: 'Having already disclaimed all intention of continuing a controversy with a man whom I conceive *incapable* of conducting *his own part of it* in an honest and manly way, I should not again address you on the subject, were it not for the use you have made of my avowed determination to notice you no farther.'—'The intention *not* to continue this controversy, which had before been publicly avowed, and to which one might expect the person making the avowal to adhere, is here acknowledged to have been grounded on a conviction, that the opponent of the writer was *incapable* of conducting *his part of it* in an honest and manly way: that is, in a way to the perfect satisfaction of Captain Macnaghten himself. And yet, *because* the Editor has given (as Captain Macnaghten still thinks) fresh proofs of his being *incapable* of carrying on a controversy, according to his (Captain Macnaghten's) notions of honesty and manliness,—the very circumstance which first induced him to resolve on *not* prolonging a controversy with such a person, is now urged as the strongest of reasons for his renewing or continuing it! We ask the reader, candidly, can there be any rational hope of satisfying such an individual? There is no doubt, that any thing we might offer as an abstract of his own statements, (and it would require a volume to give the whole,) would be, in his estimation, a 'garbled account';—no doubt, that any reasons we might adduce of our own, would be called 'foreign to the question in dispute';—no doubt, that any disclaimer of the imputation of malice, (by showing that the feeling could not have actuated the writer,) would be called 'an evasion of responsibility';—no doubt, that every unanswerable argument would be called 'shuffling and quibbling sophistry';—for where was yet the personal controversy, in which the party in the wrong was *ever* satisfied with the matter or manner of the party in the right? Such a phenomenon has never yet been met with, and certainly we do not think it is

likely to be found for the first time in the person of Captain Macnaghten.

The history of this case is very brief: Certain statements respecting the Press in India, and the persons connected with its management, having from time to time appeared in the '*Oriental Herald*,' in the General Summary of News, compiled by different persons, from such authorities as were accessible to them, and sincerely believed to be worthy of credit, Captain Macnaghten, as one of the parties who considered himself unjustly blamed in these statements, prints a full report of the proceedings of two Indian courts-martial, as well as another pamphlet, in which he attempts to show that the statements given in the '*Herald*' were unworthy of credit. From the circumstance of the second pamphlet being declared, in a note from himself, to be 'not published,' we had imagined that its circulation was confined to a few persons connected with India, and the conductors of the public press. But in this we were, it seems, mistaken, Captain Macnaghten now rejecting the imputation of it being a 'private pamphlet,' and adding, that the reason of his stating it to be 'not published,' was, because he apprehended the party applying for it might intend to make it the ground of an action for libel, (which seems very like a desire, on *his* part, to shrink from that legal responsibility for his own writings, which he thinks it unworthy in his opponent not to take upon himself for the writings of another, though, in point of fact, no responsibility was meant to be avoided, the only object in stating the truth being to show that malice was supposed, where it could not have existed :) and that so far from its being 'a hole and corner production,' as we had called it, he had made it as public as he possibly could, copies of it having been sent to as many gentlemen connected with the East India Company as the number printed could supply, and to the Editors of the public papers on both sides of politics indiscriminately.—Well!—one would have thought at least that this placed the two parties in the controversy on pretty equal terms. Here was publication for publication, matter for matter, and name for name. The public, who saw both, might judge for themselves; and what has since been written in allusion to this pamphlet, cannot have altered the balance, for Captain Macnaghten himself says, in reference to this, 'I am persuaded that *no person* can read your observations on my pamphlet, and say you have *answered* it.' Very possibly not, for that was not the object, after a public declaration from its author, that 'there was no intention (on his part) to prolong a controversy with a man whose censure was more desirable than his praise.' But, though every one who reads our remarks, must, according to Captain Macnaghten, be satisfied that they leave him in triumphant possession of all his unanswered statements, and that we have altogether failed in establishing our positions, yet he is not satisfied! We ask again, what could ever satisfy such a disposition? We give him the 'censure' which he thinks 'so much more desirable than our praise:' yet he wishes us to revoke the

gift: we offer him our 'forgiveness' for epithets which we supposed him to have used as much in error as in anger; but, he says of this, 'I require it not, nor will I accept it.' What he really does desire, or whether there is any rational hope of his being perfectly satisfied with it, is not easy to divine. There is this plain course, however, open to him to pursue: As he chose, in the first instance, to print his Reply to the statements contained in the '*Oriental Herald*,' and subsequently the full report of the proceedings of the courts-martial in India, in *pamphlets*, for distribution among persons connected with India, and with the English press, this channel is still entirely at his command, either for a republication of his 'unanswered' statements, in a second edition of his two pamphlets already before the world, or for any additional matter he may have to lay before it in new ones. And to remove all scruples that he may entertain as to being visited with a prosecution at law, or any other proceeding, for whatever he may say in any of them, we pledge ourselves,—not according to Captain Macnaghten's fashion, to alter our intentions a few days afterwards,—but, seriously and solemnly, neither to institute a legal or any other process for redress, nor even to write another line in continuation of a controversy, which Captain Macnaghten was the first to declare his intention not to continue, but of the acting on which we shall be the first to set the example. As to anything which we might write proving satisfactory to Captain Macnaghten himself, we could entertain no hope of it; and if what we have already written, be insufficient to satisfy the public, before whom the statements of each party have now been fully laid, nothing that we could add would be likely to effect it. On every consideration, therefore, the inutility of further controversy is apparent, and if, at this stage of it, Captain Macnaghten thinks his statements still 'unanswered,' he has the victory in his own hands, and we can only add, long may he live to enjoy it!

SONNET.—A COMMON CHARACTER.

Nor altogether wicked—but so weak,
That greater villains made of him their tool;
Not void of talent—yet so much a fool
As honour by dishonest means to seek;
Proud to the humble—to the haughty meek;
In flattery servile—insolent in rule;
Keen for his own—for others' interest cool;
Hate in his heart—and smiles upon his cheek.
This man, with abject meanness join'd to pride,
Was yet a pleasant fellow in his day;
For all unseemly traits he well could hide,
Whene'er he mingled with the great and gay:
But he is buried now—and, when he died,
No one seem'd sorry that he was away!

STATE OF THE CAPE OF GOOD HOPE IN 1825.

BY A COLONIST.

No. IV.

To the Editor of the Oriental Herald.

SIR,

Graham's Town, South Africa, Oct. 15, 1825.

FOR certain reasons, which it is unnecessary to specify, I beg that you will insert in the 'Oriental Herald' the two following letters to Earl Bathurst, in priority to any of my former communications which may still remain unpublished.

A CAPE COLONIST.

LETTER I.

To the Right Honourable Earl Bathurst, &c. &c. &c.

MY LORD,—The time is at length approaching, when the state of this long-misgoverned colony is to be made the subject of Parliamentary inquiry. That it has, for the last twenty years, during which it has been under the British dominion, been subjected to a system of oppression and mal-administration, has been made sufficiently apparent. The inhabitants of the colony, in general, are willing to acquit your Lordship of any wilful participation in the manifold wrongs they have suffered; but it will depend on your Lordship's own conduct, at the present crisis, whether they will abide by that opinion, or be obliged to throw a share, at least, of the blame upon the Home Department. If, in the inquiry that is about to take place, your Lordship should fairly and manfully come forward, without any disingenuous attempt to bilk the question, or any underhand manœuvres to screen any person or persons (however powerful their interest or parliamentary influence) who may have been the cause of the manifold acts of tyranny and injustice which have been committed,—if your Lordship should appear willing to furnish every information that may lead to the detection of crime, and the punishment of delinquents,—if your Lordship should appear willing to amend our deplorable condition,—to root out effectually the weeds which have so long overgrown the political soil of the Cape of Good Hope, and to grant its inhabitants a fair proportion of the liberties and privileges of their British brethren;—then, my Lord, the colonists will not fail to retain and cherish the opinion, that your Lordship has been hitherto misled by the representations of those persons whose duty it was to make the Home Department acquainted with the real state of affairs. But if your Lordship, on the contrary, should evade inquiry, withhold information, lead public curiosity upon a false scent, and endeavour to

screen those of whom it is your Lordship's duty to make examples,—if your Lordship should grant the colonists no greater freedom or privilege than the state of public feeling, and the voice of Parliament shall extort from your reluctant hand ; not only the colonists, but the British nation, must and will ascribe to your Lordship all the evils which they have suffered, and in a great measure acquit the subordinate functionaries of wilful malversation.

With what truth I know not, but it is generally reported in this colony, that your Lordship obtained your present situation through the great interest and Parliamentary influence of the Beaufort Family. Gratitude is, no doubt, always amiable, and frequently a duty ; but when duties clash, the lesser must give way to the greater. The duty we owe our country is the greatest and most imperative. To it all others ought to give place. The gratitude of an individual in private life is one thing, that of a man in high office another. If, my Lord, you really are under obligations to the Beaufort family, your purse, your house, and your private support in every way should be at their service ; but your duty to your sovereign and your country forbids your carrying that gratitude into the Council, the House of Lords, or the Colonial Office. An individual of that family is, together with your Lordship, already at the bar of public opinion ; and it must shortly be proved whether one or both are criminal, whether that individual has acted under the direction and protection of your Lordship, or has misrepresented circumstances, and acted upon his own responsibility.

Your Lordship is suspected in this colony (I hope unjustly) of having prolonged inquiry, in order to weary out the complaints of the colonists. If so, your Lordship will find yourself wonderfully mistaken as to the result, and will discover that the public outcry against the present system will continue daily to increase ; that the opposition will be more strongly armed, and that your Lordship will be obliged to grant as a right, what at present would be gratefully received as a boon. It will rest with your Lordship to prove, that the state of the colony was such as to prevent earlier information from being given, without throwing impediments into the way of those whose duty it was immediately to represent the most serious grievances, leaving the minor ones to future consideration. The public will be able to determine whether, in withholding information from Parliament, your Lordship has been guided by a sense of duty, or a wish to screen your friends ; whether your Lordship actually was not in possession of the information required, or withheld it from sinister motives.

There are certain portions of the Cape jurisprudence which might, and ought immediately to have been changed. Of the abuses which prevailed in particular departments, your Lordship could not have been unaware ; and I shall presently bring some of these more specifically under notice.

Your Lordship is, no doubt, possessed of too much discernment, not to perceive that the enlightened policy of the heads of the other departments of his Majesty's Government is daily obtaining for them the almost unlimited confidence and approbation of the nation; and that you will ultimately either be obliged to adopt the same line of conduct, or to resign your office. Messrs. Peel, Canning, and Robinson, keep peace with public intelligence, and wisely concede what they know they cannot long withhold,—thus making a merit of necessity. Let me advise you, my Lord, for your own advantage, to follow their example. I have the honour to be, &c.

LETTER II.

MY LORD,—It is now generally anticipated that Lord Charles Somerset will endeavour to defend his conduct, by asserting that his arbitrary government was the consequence of 'Dutch law.' If he can prove this, it may in some measure extenuate some of his actions, but can by no means form the grounds of acquittal, without bringing your Lordship into a dilemma of a similar nature to that in which the Governor is himself at present placed. If the British Governor of a ceded colony found the laws arbitrary and bad, was it, or was it not, his duty to represent that circumstance to the Home Department? I anticipate your Lordship's answer: It was his duty. It then must be asked, did Lord Charles Somerset make such representation or not? If he did not, he evidently neglected his duty, and concealed our real state. If he did, your Lordship has neglected yours; and, being acquainted with the badness of our institutions, you have refused, or delayed, for twenty years to amend them. I am more inclined to lay the blame on the Governor than upon your Lordship, but '*exitus acta probat.*'

Allowing that Lord Charles Somerset did make the necessary representations, it still remains to be proved that he *has* acted according to Dutch law. As a private individual, I cannot be supposed to be perfectly acquainted either with Dutch law, or with the charges that have been brought against the Governor; but I will ask a few plain questions, which, I apprehend, any member of the House of Lords or Commons may be competent to answer: Was the disbanding of the old Cape regiment, and the raising of a new one, in order to promote the Governor's two sons,—was the appointment of Henry Somerset, Esq., to the lucrative post of Commissioner of Stamps,—was the appointment of Major Somerset to the command of the frontier, and the withdrawing of senior officers to enable him to hold that command,—was the establishment of the Government farm of Somerset, by which the bread was taken out of the mouths of the inhabitants,—were the immense sums that have been lavished on Newlands, Groote Post, Camps Bay Cottage, &c., &c.,—was the banishment of Mr. Greig, without a crime, and

without a trial,—was the suppression of the Literary Society of Cape Town, and the ‘Society for the Dissemination of Religious Instruction’ at Uitenhage,—was the prosecution of Me-srs. Cook, Edwards, and Hoffman, for memorializing the Lords of the Treasury,—was the *illegal* condemnation and cruel treatment of Edwards, however culpable he might have been, and without alluding to his being a returned convict, which was not known at the time of his prosecution,—was the shameful abuse of the Government Press in deceiving the public, and libelling individuals obnoxious to the Somersets,—was the insult offered to the Chief-Justice, * when he was told that if he did not perform his functions more to the Governor’s liking, another would be found to fill them,—was the dismissal of Captain Campbell from the heemradship for complaining of the insolence of Rivers,—was the appointment of Mr. Deitz, an ‘unrehabilitated bankrupt,’ and of Captain Hope, without the recommendation of the Board, and contrary to the colonial regulations,†—

* Poor Sir John mentioned this insolent message to a friend of mine ‘with tears in his eyes.’ But Sir John is indeed a poor creature, and this is not the only occasion on which he has allowed himself to be ‘bullied.’

† The following accurate account of Captain Hope’s appointment is extracted from the letter of one of the most respectable gentlemen in Albany, and who has, since Major Dundas became landdrost, received a place in the magistracy of that district. It is dated ‘Graham’s Town, April 3, 1825.’

• ‘About three years back, Captain Hope’s company of artillery was ordered home to England; but as he had, by his diligence, assiduity, and officiousness, on the race-course, and in the stables, rendered valuable service to his Excellency, he was rewarded by the situation of signal officer of this district. Some months after his arrival on the frontier, he was appointed a heemraad (or jurymen) of the local Court; and as this appointment was irregular and illegal, I shall enter into a short detail of it.

‘On the formation of a new district, the landdrost and heemraden are appointed by the Governor; two of the jurymen go out each year, and others are elected by the Board of Landdrost and Heemraden to fill their places, and this election is confirmed by the Governor. The persons so elected must possess certain qualifications, such as being burghers, proprietors of land to a certain extent, &c. &c.

‘You are aware that some of the heemraden were dismissed by the Governor, when it was found they would not submit to the indeness of Mr. Rivers, the then landdrost, and that others resigned in disgust. According to the established law of the colony, the vacancies should have been filled up by the Board; but his Lordship perhaps thought that they might not nominate persons exactly suited to his taste, he therefore saved the Board the trouble of an election, and filled up the vacancies himself. In this manner was Captain Hope appointed, being then and now on the full pay of his regiment, and not possessed of a foot of land, nor any of the qualifications which the law requires for a jurymen or heemraad.

‘Captain Hope has well and truly fulfilled the prediction uttered at the time, for in every case before the Court, when the landdrost or the Governor had, or were supposed to have, an interest in it, he appeared to act as counsel for the Crown instead of a calm and impartial jurymen. The investigation of Mr. Geary’s case, and the trial of Hobson, are memorable instances of his efforts in this way.

‘I do not know what are the particular regulations of the Board of Ord-

was the quashing of all complaints, however well founded, against the Magistrates,—was the appointment of Captain Fitzroy to the vendue mastership,—was the proclamation against ‘ seditious meetings in Albany,’ when no such meetings had occurred, or were anticipated,—was the granting of several *hundred thousand acres* of land to the ‘ addressing boors,’ and the refusal of even of their just claims to the most respectable British settlers,—was the continuation of Mr. Rivers, and Lieutenant-Colonel Cuyler, in the magistracy, after all that had been proved against them,—was the seizing and searching of private papers, and the imprisonment of innocent persons, such as Wilmot and others,—was the raising of the ‘ Albany levy,’ in order to augment Mr. Rivers’s salary with 2000 rix-dollars, and to satisfy other parasites with smaller ‘ military appointments,’—was the reply to the memorial of J. Marshall,—was the continuation of Mr. Goodwin in office (*ci-divant chopman*, now executor of ‘ search warrants, &c.’),—was the treatment of Peter Retief,—were all these, and a thousand similar transactions, in accordance with Dutch law and practice? No, my Lord, *they were not*. I affirm, without fear of contradiction, that these acts were, for the most part, in direct contravention of ‘ Dutch law,’ and of Roman, Indian, and English law.* ‘ They were the arbitrary acts of the Governor, or of those under his immediate control; and if Lord Charles Somerset and his agents are not strictly called to account for them, both law and justice will be denied to this long-abused settlement, and to the numerous individuals whose just complaints still remain without redress.

I shall conclude this letter with a brief sketch of the ‘ rise and progress ’ of the young Somersets, for your Lordship’s more precise information, and as a sample of Lord Charles Somerset’s ‘ political talents.’

nance respecting officers of artillery holding staff situations abroad, while their company or regiment is at home; but I do know, that no officer in the line can hold any such appointment absent from his regiment.’

Since the above was written, Captain Hope has been removed from Albany by his patron to a more fitting appointment. He is now Superintendent of Public Buildings, &c. in Cape Town, in conjunction with Mr. Jones, alias the *Spy Oliver*.

* If Lord Charles Somerset was so much cramped by Dutch colonial law that he was *obliged* to allow so many abuses to be perpetrated under its sanction, how comes it that he could set aside at his pleasure any part of it which happened to interfere with his own interests, or even his amusements? Did he not in 1822 repeal, by proclamation, that part of the colonial code which required *two witnesses* to prove certain offences? Did he not dispense with this precautionary clause, and enact, by his sovereign will and fiat, that in future circumstantial evidence should be accounted sufficient to convict all offenders against the absurd and oppressive regulations which he had himself promulgated for the ‘ preservation of the game ’? and this in a country where, in innumerable cases, the ‘ game ’ must absolutely be extirpated to enable the husbandman to exist!

In the year 1817, it was deemed necessary (for reasons best known to Lord Charles Somerset) to disband the Cape regiment, retaining only one company as guides to the European troops. Shortly afterwards, Captain Henry Somerset arrived in the colony, and as it was desirable to put him on full pay, it was deemed expedient to raise a troop of colonial Hottentot cavalry, which was of course given to the noble Captain. It was then considered that Master Charles Somerset ought (being the Governor's son) to be at least a Captain also; but to raise a second company so immediately after the reduction of the Cape regiment, would have been rather awkward, and as Master Somerset had, by strict economy in the situation of private secretary, and aid-de-camp to his father, saved a sufficient sum to purchase, Captain Harding was prevailed upon to dispose of his company, receiving a deputy landdrostship in addition to the price. But still, what signified a company of infantry? it was far too low a grade for a Governor's son, and as the defence of the frontier required (quite apropos) a second troop of cavalry, a second troop was accordingly raised, and Master Charles Somerset became a captain of horse. As the younger brother was now a Captain, it was but fair that the elder should mount a step higher, and become a Major; but how was this object to be attained? In this drowsy time of peace promotion is slow, and only to be obtained rapidly by purchase. Lord Charles Somerset's very limited salary (only 10,000*l.* a year, besides pickings and patronage) did not admit of his launching out money in purchasing for his son. Who, under such circumstances, were more in duty bound to pay for the promotion of the beloved son of a beloved Governor, than the colonists? But to take a sum immediately out of the colonial chest for that purpose was contrary to 'Dutch law and precedent;' to give the son a civil situation was, however, compatible with both. A deputy-landdrostship was the first that offered. The salary indeed was moderate, but better small fish than none—a penny saved is a penny got.

In the meantime Lord Charles Somerset visited England, and a full landdrost became necessary for Albany. Sir Rufane Donkin was placed in a very awkward predicament: he could not appoint Captain Somerset, for he had been found unfit even for a deputy landdrost; and then, thought poor Sir Rufane, if I turn him out, what will become of those I put in, in case his father returns? In this dilemma, Sir Rufane bethought himself of a good expedient; he appointed the Commandant of Simon's Town Landdrost of Albany, and Captain Somerset Commandant of Simon's Town. (Well done Sir Rufane! a good idea that, but it did not serve your purpose, for Lord Charles turned your friends out in spite of every precaution.) Lord Charles Somerset returned, and finding Captain Henry Somerset Commandant of Simon's Town, it suddenly occurred to him that the military situation of Commandant, and

the civil one of Resident, which had hitherto always been separate, ought to be conjoined. Poor Mr. Brand, who had for several years acted as Resident with credit to himself and satisfaction to the public, was appointed to the less respectable and less lucrative situation of Wharf Master, and Captain Somerset became Commandant and Government Resident of Simon's Town. But still, what signified a paltry six or seven thousand dollars a year? Something else must be looked out for him. The Deputy Colonial Secretaryship was abolished after Mr. Ellis's return to England, but the Commissionership of the Stamps remained, worth at least 10,000 rix-dollars per annum. Who could be more worthy to fill the situation than Captain Somerset, and how could he purchase a majority without it? Captain Somerset accordingly undertook the arduous duties of Commandant and Government Resident of Simon's Town and Commissioner of Stamps. Every thing was now in a fair train, when an unforeseen impediment arose. No civil situation, no promises, would induce Major Frazer to sell his commission; neither arts nor influence, frowns nor favour could prevail. 'I have lived a soldier, and please God will die one,' said the uncompromising veteran. What was to be done? Why, two troops of cavalry were surely not sufficient for the protection of the frontier. If two more were added to them, a Major of cavalry would be required. Two more were added, and Captain Somerset became a Major of cavalry. This augmentation occasioned a Lieut.-Colonel to be appointed, and poor Frazer, who had ruined his constitution in the service of the colony, and who, whilst pining under a fatal disease, was ordered to head a commando, received the news of his promotion on his death-bed.* No sooner was Frazer promoted than a new field of ambition rose to view. It was expedient that Colonel Frazer (who was not expected to live three weeks) should command the frontier, and that Major Somerset should join his regiment, as his father wished him to gain laurels, and they were no where so cheap as on the eastern frontier, where they are always to be won by shooting a score or two of Caffers. Simon's Town was again called to the aid of the Governor, and

* Major Frazer's real merits were not unknown at the Horse Guards. He had, indeed, 'certificates' there of a sort which (simple man) he little dreamt of, but the Commander-in-Chief luckily learned how to value them as they deserved. I mean 'the letters of Colonel Willshire.' There are persons both in Africa and England who will understand me without farther explanation. In short, Frazer's case and character were perfectly well appreciated by the honest and honourable mind of the Duke of York; and on the first opportunity that occurred, to the extreme astonishment of the Somersetses, he was promoted without solicitation to the Colonelcy of the Cape Corps. But good fortune came too late for poor Frazer. He died soon after of a decline—his brother officers call it 'a broken heart.' The writer of this note served on several commandoes with him, and knew him intimately. A man of mere real benevolence, thorough probity, and high honour, did not exist.

Lieutenant-Colonel Scott was recalled from the frontier, and appointed Commandant of Simon's Town. As was expected, Colonel Scott had scarcely time to quit his post before poor Frazer breathed his last. Still there were two Majors on the frontier senior to Major Somerset. This was awkward; but the grenadier and light infantry companies of the 6th regiment were on some account or other immediately required for Cape Town service. They were ordered there; Majors Taylor and Rogers of course accompanied them, and Major Somerset thus became Commandant of the Frontier and Commissioner of Stamps. Subsequently, two senior brevet Majors of the Cape regiment arrived from England; but other work was carved out for them, and they were detained in Cape Town. A negotiation was now set on foot for the purchase of the late Colonel Frazer's commission, but it did not, in the first instance, succeed; Major Somerset obtained only an unattached Lieutenant-Colonelcy. It was expected that Colonel Hutchinson would have come out to take the command, and that Simon's Town would have been again destined to receive her old Commandant and Resident. In the nick of time, however, Major Somerset managed to exchange back again, and now remains Lieutenant-Colonel Somerset, Commandant of the Frontier, and Commissioner of Stamps. It would now be an act of injustice, and quite contrary to 'Dutch law and precedent,' to deprive him of the latter situation, of which he has so long performed the arduous and fatiguing duties. It is true the public suffer some little inconvenience from the Commissioner residing six hundred miles from his office,—and the stamps must be conveyed at the public expense to Graham's Town for signature and back again,—but what signifies so slight an inconvenience if our beloved Governor's son is benefited by it?

During these manœuvres, the 'Company of Hottentot Guides,' Lord Charles's orphan bantling, has progressively grown up to four troops of cavalry and four companies of infantry. To compare the expense of defending the Caffre frontier previous to the disbanding of the Cape regiment in 1817, with what it is now, might appear invidious,—perhaps, without regular vouchers, the result would not be credited in England. I shall therefore only add at present, let Messrs. Brougham, Hume, or Hobhouse, *call for the accounts*, and then it will be seen how matters actually stand in that respect.

A CAPE COLONIST.

POSTHUMOUS FAME.

WHY covet we, in man's fond memory,
 To lie embalm'd 'till doomsday? Wherefore sigh
 For that which comes not till we cease to be,
 Or prize, what many fools have found, so high?
 Fame hath a charm which reason cannot see.
 It lies where only Fancy's eagles fly,
 Among the giddy Andes of the soul,
 Where clouds of shadowy glory round it roll.

Doth not the husbandman, though winter beat
 And shrivel him with hail and frost, behold
 His scented meads new-born of Summer's heat,
 His glowing fields thick strewn with sheaves of gold,
 And smile through present storms at many a feat
 To come, of wild and wanton mirth made bold
 By endless plenty, when the sickles gleam
 On long ripe ridges in the morning beam?

So we, who reap in hope the applauding smiles
 And loud acclains of far posterity,
 Feast on a secret banquet that beguiles
 And binds us captive to sweet Poesy:
 We sow no cunning, and we reap no wiles
 In this bright land of fancy wild and free;
 And taste, perchance, more deep delight than those
 On whose dull brow the crown of empire glows.

Kings leave their heirs the means they have of bliss,
 The griping miser leaves his son his treasure,
 The poet, something nobler far than this,
 Bequeaths the world eternal founts of pleasure,
 Founts as incbrating as beauty's kiss,
 Founts that pour forth their waters without measure,
 And all he asks for this—and all he gains—
 Is, that you would be pleased with his remains.

For this, content he hives the sweets of thought,
 And draws forth beauty from the cloud, the wave,
 And storms, and thunder; and, with lightning fraught,
 Flashes forth brightness from the gloomy grave,
 As oft as in his page delight is sought;
 For though the noiseless waves of Lethe lave
 His coffin and his clay, his soul remains
 Spread o'er the leaf that tells his joys and pains.

THE INDIANS OF MOUNT CARMEL.

THE 'Memoires du Chevalier d'Arvieux,' a book of the highest repute among Continental scholars, though so unaccountably neglected among us as to be scarcely known, contains the annexed curious account of some Indians who had in his time, (1660,) taken possession of a grotto upon Mount Carmel. Whether these Indian hermits were Moslems or Hindoos, does not appear, and although the use which the Chevalier says they made of their beads is strictly Mohammedan, it would rather seem, from the tenor of the whole anecdote, that they were followers of Brahma. What particular inducement they had to select Palestine for their retreat, I know not; but I believe that in some of Captain Wilford's extracts from the *Paranas*, whether genuine or not, I cannot say, there is a glowing and particular description of that country, which is also noted there as abounding in holy men. Some of your readers better acquainted with the subject, may be able to elucidate what appears to be a curious question.

Let me take this opportunity to say, that Doctor Clarke,* had he had the advantage of reading these 'Memoires,' would not have been led by the authority of Moreri to pronounce the 'Voyages de M. Thevenot' a spurious work, and to assert that the ingenuous author never left his native land. M. d'Arvieux bears testimony to his accuracy, and met him in Syria. The extreme scarcity, however, of the Memoires of the Chevalier may alone account for the Doctor not having used them, though he quotes the two first volumes, published, I believe, by La Roque, with high encomiums; the passage, in which M. Thevenot's name is mentioned in P. Labat's edition of the whole of the Memoires in six volumes, may perhaps be wanting in the one used by Doctor Clarke, which I have never read. D.S.

'Some Indians have, for many years past, taken up their abode in one of the finest grottos in this mountain, (Carmel.) It appears to have been hewn out of the rock, in the most remote ages. The length of it is about twenty paces, the breadth twelve, and it is about twelve or fifteen feet high. The four corners are perfect right angles, and the walls so smooth, that it would seem as if the best masons had been employed upon them. The entrance is fine, and in good proportion; it looks upon the sea, and gives light also to the grotto, which has no window. The furthest end is taken up by a table of the same rock, left as if for an altar, and above that is a frame, as it were, for the reception of a picture.

'On the left of this large grotto is a smaller one, the door and window of which look into the first. Tradition, which gives this

* See 'Travels in Palestine, &c.' first Volume of the Edition in 4to.

grotto to Elias also, tells us that it was through this window the Prophet preached to the people, who, for the purpose of hearing him, assembled in the large grotto. The Indians who now occupy it, sometimes light up lamps there, and have attached to the roof and walls tufts of rag of various colours, incontestible marks of that extreme poverty of which they make profession. By the side of the gate of the chief grotto, is a cistern cut in the rock, to receive the rain water which flows down the mountain, and to which you ascend by several steps hewn out of the rock also.

‘ These good people live by their own labour ; they make baskets and mats of rushes. They freely share whatever they have with the poor who solicit it, and are always ready to render service without seeking a recompense. Their abstinence is almost beyond belief, and their sufferings in this melancholy dwelling, together with the penances they undergo, their frequent fasts, their perpetual silence, their watchings and uninterrupted prayers, and many mortifications, the detail of which I am unable to give for want of sufficient information, have made them so thin, meagre, and fleshless, that their bones seem only covered by a blackish skin, wrinkled, scorched, and tanned by the heat of the sun.

‘ They are, nevertheless, polite and attentive ; they received us with the greatest cordiality, presented us with dried fruits and water, and one of them, who spoke Arabic somewhat fluently, entertained us with a discourse upon a contempt of the world, death, and the fear of God. Few of them, however, know the language of the country ; out of the whole fifteen or sixteen, only two of them spoke Arabic ; the rest know only Persian or Indian, nor do they care to learn more, apprehensive that if they did, they might be more visited, their solitude and silence interrupted, and occasion be given to offend God in the course of their commerce with men.

‘ They are troublesome to no one, ask for nothing, and live frugally on fruit, herbs, and rice, which they get for their mats and baskets. We wished to give them a few piastres ; they modestly refused them, saying, that it was against their custom ; luckily, both for us and them, some Arabs were passing by, who had rice with them ; we bought three bags of it, which we gave them, and which they received with many thanks and blessings. They wished to return the bags, and we had much difficulty to persuade them to keep them ; they appeared, indeed, to want clothing, for most of them were nearly naked, and were only covered by some paltry rags which the Arabs give them, when they meet with a prize.

‘ These good solitaries have made a dry stone wall, within which they have planted fig, pomegranate, and other trees, which at once give them both shade and fruit. It is to be regretted that the Carmelites do not instruct them in our faith. These good people have but a step to make to reach it, and would assuredly, in a short time, rival those holy hermits who have sanctified themselves in the deserts of Palestine and Egypt.

' Their sole furniture is a few mats, three or four earthen pots to cook their rice in, when they have any, and some pitchers to fetch water. They had all long chaplets of beads round their necks, each bead, like those used by the Turks, being of the same size. They use them in recounting the attributes of God, and in reckoning the number of blessings they pronounce upon him. We left them in admiration of a life so austere and penitential, and returned to the monastery of the Carmelites of the new law.*—*Memoires du Chevalier d'Arvieux*, tom. 2d, p. 303—312.

MARCUS BRUTUS.

Why wert thou register'd by Fame,
Immortal Roman? wherefore still
Doth Freedom, lingering on thy name,
Feel her stern breast with ardour shill?
'Tis to thy dagger that we owe
The spectre fears that haunt the bed
Of tyrants, whom it taught to know
Power could not shield the lawless head

Yes, 't is to thee, and such as thee,
More than to reasonings quaint and cold,
We owe it, that proud Liberty
Wears still her glory, as of old:
That, spite of hircling pen and sword,
Power's slavish minions wield for bread,
A despot 's still a thing abhorr'd,
A thing men scorn far more than dread.

And what though learning linders not
Th' historic pen from aiming yet,
With desperate arguments, to blot
Thy glorious fame? † The sophist met,
In this, the meed such deeds should find,—
Oblivion, and neglect, and scorn,
Striving absurdly to unbind
Th' eternal wreath thy brow hath worn.

So shall all schemes be wreck'd, that aim
Brutus, to bear thee down the deep
Of obloquy, for o'er thy name
Virtue doth watchful sentry keep:
And may the hate of man and God,
And lasting shame, and infamy,
Make with that spirit their abode,
Who aims at Liberty through thee!

January 3, 1827.

BION.

* A description of this grotto—1816—upwards of 150 years later, will be found in the 'Travels in Palestine,' by the Editor of this Work, p. 120, first quarto edition.

† Gibbon's Digression on the Character of Brutus: which lies, happily, in that utter neglect it so justly merited from mankind.

SOURCES OF THE BURRAMPOOTER.

*To the Editor of the Monthly Book, entitled the
'Oriental Herald.'*

SIR,—It is not often that the celestials deign to hold converse or correspondence with the lowly sons of earth, but, on very particular occasions, such has sometimes been permitted; and, for reasons unknown below, I now condescend to make you, as the official HERALD of the ORIENTAL DEITIES, the favoured channel of so transcendent an honour.

Know, then, fortunate mortal, that these ambrosial lines are penned by no less a personage than the far-famed BRAHMAPUTRA, the son of almighty *Brahma*, and the reputed twin-brother of the still more celebrated heaven-descended GUNGA; and that I have deigned to impart to your enraptured ear and understanding, that the hitherto impenetrable mystery which has involved my birth and native haunts, from the beginning of time, is at length about to be dissipated, and the precincts of the sacred margin of my parent lake—the wonder-working *Brahmakoon*d*—to be trodden by the venturous foot of the European pilgrim: but, that the auspicious moment for the fulfilment of this grand event has not yet arrived.

In the mean time, in consequence of certain misunderstandings among the terrestrial sages, termed *Geographi-Philosophers*, I am deputed by the god *Yama* † to set a few preliminary matters right, and to award to each of those aspiring investigators the meed of praise due to their successive endeavours, according to their respective claims and merits.

First, then, be it known, O son of earth! that it was the will of the great *Brahma* that the sacred spot which gave me birth should remain involved in impenetrable mystery until the present time; and that the important secret, being unworthy of the degenerate offspring of *Asia*, should be left to be disclosed by the energetic children of *Europe*, after their having, in the first instance, assisted in adding to the bewildering nature of its mystic veil.

2d, In proof of this great truth, I need only ask, What followers of *Brahma*, of *Boodha*, of *Jina*, of *Vishnoo*, or of *Siva*, have hitherto dared to venture within the celestial snow-clad region

* It is understood by all orthodox Hindoos, that pilgrims visiting the banks of the *Brahmakoon*d take flight to heaven in the form of geese, or other aquatic animals.

† *Yama*,—vulg. *Jum-deo*, the Hindoo God of Justice.

which boasts of giving me birth ? * Or what disciple of the Prophet *Mohammed* has presumed, unpunished, to intrude upon even the trackless wilds which guard the base of my cloud-capt Himalayan shrine ? † Nay, even the mighty son of the great *Con-fu-chie* was timely warned from attempting to explore my forbidden springs, by his reckless lying messengers being driven back from the precincts of their reputed source by the swords of the mighty invader. ‡

3d, In evidence of the philosophers of *Europe* having, in the first instance, only added to the bewildering mystery that envelops my birth, I need only instance the origin and progress through earth assigned to me by the cabalistic arts of a *D'Anville*, through the realms of the *Golden-footed Monarch*, § at once overturned by the more powerful wizard-hand of a *Rennel*, who for half a century doomed me, after thousands of miles of wandering amid the inhospitable regions of *Tibet*, to double, *per force*, upon my natural course, and visit the mean abodes of the imbecile children of *Assam* and *Bengal*, for the supposed purpose of indulging a farewell embrace with my sister *Gunga*, before her final dissolution in the waters of the mightier ocean. ||

But the era of inevitable disclosure approached ; and, therefore, although the staggering researches of a *Wade* proved unavailing, ¶ in turn, appeared several hardy sons of the North, who, dissatisfied with the existing state of things, dared to doubt the accumulated contradictory testimony of former *sages* ; and, advancing from different quarters, had made considerable progress in the great object

* This probably alludes to the circumstance, that in none of the Hindoo books is there any *express* description of the *Brahmapootra* ; nor has any Indian pilgrim been yet met with who had visited the lake of *Brahmakoon*d.

† No Mahomedan writer has ever thrown any light upon the source of this great river ; and of a large Mogul army which invaded *Assam*, the scene of one of its supposed sources, few returned to tell the tale of their disasters.

‡ This, no doubt, refers to the Lamas sent into *Tibet* by order of an Emperor of *China* to explore the sources of the *Sanpoo* ; but who were deterred from their purpose by the approach of an army of Tartar invaders, and were content to return with hearsay accounts, instead of personal investigation, of the river's sources.

§ This evidently alludes to the geographical labours of the illustrious *D'Anville*, who, on the authority of the Jesuit missionaries resident in *China*, employed to construct a map of that empire, gave it as his opinion, that the *Sanpoo* ran into, or became the *Irawadee*, or river of *Ava*.

|| This, no doubt, points to the no less illustrious Major *Rennel*'s investigations respecting the geography of this celebrated river, and the course assigned by him to the *Sanpoo*, first, easterly through *Tibet*, and then suddenly westward through *Assam*, and finally, south through *Bengal*, to meet its mighty rival, the *Ganges*, close to its junction with the sea.

¶ This appears to refer to the valuable geographical researches of *Dr. Wade*, who accompanied a detachment of troops sent into *Assam* from *Bengal*, about thirty years ago ; and who also sent to *England*, for publication, a '*History of Assam*', the fate of which is now unknown.

of their pursuit ; * when, lo ! to aid their efforts, and in partial fulfilment of the inevitable fiat of Brahma, two mighty armies poured into the regions of Assam and Ava, accompanied by their respective skilful sages, bearing magical instruments of extraordinary powers, known to Europeans by the unpronounceable names of theodolites, compasses, telescopes, sextants, astrolabes, pedometers, perambulators, and various other strange engines, with books of necromantic knowledge and power without number, prepared to aid the mighty undertaking ! † But, as yet, all—all in vain. For, behold ! an individual, more mighty than his fellows, skilled in every cabalistic art, and deeply versed in polyglottic lore, jealous of their united efforts, appear in the learned halls of *London*, from the academic groves of *Berlin*, and exploring the hidden sources of prophetic knowledge, locked up in the uncouth hieroglyphics of *China* and *Tartary* within the archives of LEADENHALL, extracted and conveyed thence the supposed astounding secret, across the *mighty waters*, and deposited the same in the profoundest cavern of the ‘*Magazin Asiatique*,’ to be exploded at once upon the astonished world ! ‡

Had the deed been nobly dared, doubly estimable would have been the result ; but, unfortunately, an evil spirit guided the researching hand and enlightening torch, and, when least expected, at once dashed the cup of merit from the expectant lip, and the laurel wreath from the exulting brow of the astonished sage,—to be awarded ere long to some more generous competitor of fame in the ever genial *land of the sun*.§

* It is difficult to say to whom this particularly alludes. Three individuals, however, are known to have interested themselves in this great geographical question,—viz. Dr. F. Buchanan Hamilton, to whom Indian geography, natural history, and statistics, are under very great obligations ; David Scott, Esq. political agent with the different states on the north-east frontier of Bengal, who has devoted much of his time to scientific and geographical inquiries ; and Captain Tachlan, of his Majesty’s service, who, during a long residence in India, paid much attention to geographical investigations, and, being ultimately led to doubt the correctness of the *received* accounts of the source and progress of the Burrampooter, drew up a memoir on the subject, and submitted it to the Royal Asiatic Society of London more than two years ago.

† This must allude, among others, to Lieutenants Burlton and Neufville, two intelligent officers of the Company’s service, employed with the division of the Bengal army which entered Assam, to whom we are indebted for information regarding the greater part of the course of the Burrampooter through Assam ; and who, it is hoped, will yet set the question of its doubtful geography at rest.

‡ This no doubt alludes to Monsieur Klaproth, one of the leading members of the French Asiatic Society, and an associate of that of London, a *savant* of acknowledged great abilities, whether as a general Oriental linguist, or, as regards deep geographical and historical research connected with the *Eastern* hemisphere, but with whom, apparently, *all* the world do not live in perfect amity.—See concluding note.

§ This, we presume, must allude to the paradisaical regions of *India*, in contradistinction to this cold and comfortless clime of fogs, frost, and famine.

More than this, son of earth! I am not yet permitted to divulge. Make a proper use of what the gods condescend to impart, and believe that mystery still envelops both the celestial and terrestrial origin of

BRAMMAPUTRA *alias* SANPOO *alias* &c. &c. &c.

Despatched from the celestial mansions this 1st day of the month Magh, in the year of the *Kalee Yog* 49291, of *Vikramaditya* or *Sambat*, 1883, and of *Salivahan* or *Saka*, 1750, answering to the 12th of Jan. 1827, of the degenerate era of Europeans.

CONCLUDING NOTE.

As behoved an appointed messenger of the Oriental gods, we have given a place in our pages to the celestial communications, and endeavoured, at the same time, to throw such farther light upon the subject, as our mortal and finite knowledge admitted.

In addition to the notes already appended to the text, it may be stated, that there appears to have been much crossing and jostling among the terrestrials who have been engaged in the race of research respecting the hitherto doubtful geography of the *Burrampooter*, ending in Monsieur Klaproth having outstripped all his competitors, by first gleanng such information as he could from the unpublished memoirs on the subject already alluded to, as having been read before the Royal Asiatic Society of London; and then referring to, transcribing, and translating from, the valuable Chinese maps deposited in the library of the East India Company in Leadenhall Street, such farther particulars as appeared to decide the question, as far as original Chinese authorities were concerned, and finally publishing the result so obtained in his '*Magazin Asiatique*,' without a single word of acknowledgment as to either of the sources of information to which he was so much indebted.

Should such have been the case,—and the assertion appears to be borne out by the ascertained fact, that M. Klaproth was in London, and present at the reading of the memoir in question, in *February* 1825, and that he was about the same time busily employed in transcribing, from the MS. notes on the face of the Chinese maps at the India House, nearly the whole substance of his article in the '*Magazin Asiatique*,' added to his *acknowledging* that this paper was written in *March*,—we cannot refrain from expressing our opinion, that it was altogether unworthy of a colossus of language and research like M. Klaproth, to leave unacknowledged his obligations to any sources of information or corroboration afforded him at the liberal hand of strangers; and we leave to him to account for this, among his other little literary peccadillos* That M.

* Vide No. II. '*Magazin Asiatique*' (published at Paris, in April 1826,) p. 302, where M. Klaproth, in a note at the first page of a '*Memoire sur les cours du Yaou-Dzangbo-Tehou, ou du grand Fleuve du Tibet, suivi de notice sur la source du Burrampooter*,' thus observes: '*J'ai compose ce Memoire et*

Klaproth possesses abilities capable of throwing light on any subject of philology or geography in which he may engage, there can be little doubt; and that his knowledge of the Chinese and Manchoo-Tartar languages has proved essentially beneficial on the present occasion, is equally undisputed. But these are only additional reasons why he should be above the too common practice of using the information of others without due acknowledgment.

CAFFER SONG.—THE ROCK OF ELKS.

' *Empofos umfuta inslu aëta.* ' *

DEEP in the forest lies hid a green dell,
Where fresh from the Rock of Elks blue waters swell;
And fast by that fountain a yellow-wood tree,†
Which shelters the spot that is dearest to me.
Down by the streamlet my heifers are grazing;
Prone o'er the clear pool the herd-boy is gazing;
Under the shade my beloved is singing—
The shade of the tree where her cradle is swinging.
When I come from the hill as the daylight is fading,
Though spent with the chase, and the game for my lading,
My nerves are new strung, and my light heart is swelling,
As I gaze from the Rock of Elks over my dwelling.

P.

la carte qui l'accompagne, au mois de Mars 1825, dans le moment même où le Lieut. Burlton, occupé de lever le cours supérieur du Burrampouter, reçut l'avis important, que ce fleuve avait sa source au ont de montagnes que bordent le Tibet au midi, et qu'il ne pouvait être identifié avec le Yarou le Yarou-Dzangbo-Tchou. Mon Mémoire, annoncé au milieu de 1825 au public devrait paraître dans le premier Cahier de ce Magazin, mais la gravure de la carte, et quelques changemens nécessités par les découvertes des Anglais en ont retardé la publication.' But not a word, either here or elsewhere, about the rare and valuable maps extracted from at the India House, although constructed subsequent to, and therefore (it may be inferred) superior to, those transmitted to D'Anville by Du Halde, having been prepared about forty years later in the reign of the Emperor Kien Long by the Jesuit Missionaries Hallerstein, Erpinha, and Andrada. And equally little is said of the existence of the Memoir by Captain Lachlan, read in M Klaproth's presence at the 'Royal Asiatic Society of London,' though, no doubt, this also has proved a fertile source of information on the subject.

* *i. e.* 'The rocky cleugh of Elands is our home.'

† The yellow-wood tree (*podocarpus elongata*) is termed by some writers the South African cedar. It grows to a very large size, and in appearance much resembles the pine.

MADRAS ARMY—VALUE OF CADETSHIPS.

To the Editor of the Oriental Herald.

SIR—The deep interest you appear to take in the affairs of India, as well as the *positive good* your truly valuable work has already produced, forms a sufficient inducement to offer you the following statement of *facts*. I leave it to yourself to bring them before the public in any way you may deem most conducive to the advantage of those for whose eye they are principally intended; which it is, perhaps, needless to add, are *parents thinking of procuring cadetships for their children*.

In two or three excellent papers, you have already taken the mote out of the public eye; and, to use a theatrical phrase, have given a peep behind the curtain in Leadenhall Street. You have also courted information on every topic, of general interest, relative to India. Let me hope, then, that the statement which I have to submit, will tend to dispel the golden visions with which the snug gentlemen, who rule India, have long been wont to dazzle the orbs of easy, good humoured, John Bull, to say nothing of his Northern neighbour, whose boasted gift of second sight, does not, in the present instance, appear to have preserved him from being ‘gulled.’

I proceed, without further preamble, to lay before you an abstract of the List of Cadets of 1798 for Madras, as it stood on the 1st of January 1826. Seventy-four young gentlemen were appointed in the year, and the greater part of them arrived in India in 1799, blooming in health, and high in hope. Happy fellows! the spruce Englishman; the breeched and unbreeched Scot; the choleric Cambrian; the gentleman from Ireland, and the Irish gentleman; all eager for the ‘bubble reputation,’ and the far-famed riches of Golconda. Twenty-seven years have rolled on, and what is the result? On the 1st of January last, twenty-one only of the number were alive; fifteen of them still in the service; and six retired on the scanty pittance of *half-pay*. Fifty have died in the service; one resigned, and has since died a violent death; and two, very wisely, never took up their appointments. Of the fifteen who remain, thirteen are Lieutenant-Colonels, and two, after a period of twenty-seven years, are still Majors; of the six who retired, absolutely compelled to do so by ill health, three had obtained the rank of Major, and the others that of Captain. Of those who have died, two have been killed in action, two lost at sea, one fell in a duel, and the remaining forty-seven have been natural deaths. Out of the fifty-two, three only were Lieutenant-Colonels at the period of their decease, six Majors, twenty Captains, the remaining twenty-three subalterns, as per statement in the annexed table. One of the survivors was twenty-three years in the army before he drew a monthly abstract amounting to five hundred rupees. In those ‘olden times’ the more modern refinement of classing separately, Cadets of Cavalry, Artillery, Engineers, and Infantry, did not exist:

the whole having formerly been jumbled together in one list. The fifteen survivors, therefore, belong to distinct and separate branches of the service; and there positively is not one amongst them, who, after his long exile and toilsome life, can return home with 300*l.* a year, exclusive of his pension. How can it be otherwise, since the system introduced by that *respectable* character, Sir George Barlow, of *clipping* and curtailings, has been closely followed up, until the present enlightened and excellent Governor arrived at Madras.

A great deal has lately been said of the liberality of the Court of Directors in granting an allowance of 400 rupees per month to Officers commanding corps, but I will, in a future letter, prove that this is a mere humbug; on the good old principle of 'not letting the right hand know what the left hand doeth,' they have curtailed full 'batta,' and other allowances drawn by a Lieutenant-Colonel under the old regulations, to the amount of 347 rupees a month, and given him 400 in lieu; the difference, therefore, in this mighty boon, amounts exactly to 53 rupees a month, instead of 400 rupees a month, or 636 rupees a year, which, at the present rate of exchange of 1*s.* 8*d.* per Madras rupee, is just 53*l.*

I leave it to the sober consideration of parents, what brilliant advantage results from procuring a Cadetship, an appointment which one of 'the wholesale tradesmen' doles out with infinitely more pomposity, than his most gracious Majesty would use in bestowing a patent of peerage.

A PLAIN DEALER.

Statement of Cadets for the Madras Establishment for the year 1798, as the same stood on the 1st day of January 1826.

	Casualties.				Remaining 1st Jan. 1826.	
	Deaths.	Rank at period of decease.		Retired on half-pay.	Remaining in the service.	
Number of Cadets for 1798 for Madras.						
Declined Appointments.						
Killed in Action.						
Fell in a Duel.						
Lost at Sea.						
Died in the Service.						
Lieutenant-Colonels.						
Majors.						
Captains.						
Subalterns.						
Total Deaths.						
Majors.						
Captains.						
Total Retired						
Lieutenant-Colonels.						
Majors after 27 years' service.						
Total Remaining.						

ABSTRACT.	
Number of Cadets for the Madras Establishment for 1798	74
<i>Fate of Ditto.</i>	
Declined Appointments	2
Dead since	51
Retired	6
In the service, 1st January 1826	15
Total	74

ORIENTAL ORIGIN OF THE PARABLE AGAINST PERSECUTION.

To the Editor of the Oriental Herald.

SIR,

September 9, 1826.

YOUR notices of Dr. Franklin (vol. x. p. 428) reminded me of a purpose I have for some time entertained, of occupying two or three of your pages, on a subject which you will readily allow to be quite *Oriental*.

In your fifth volume, (p. 61.) I ventured to claim for one of the Eastern sages, the origin of that justly admired apologue, the 'Hermit' of Parnell. I will now, by your permission, advance a similar claim for the eminent Persian poet and philosopher *Sadi*; who, according to his biographers, had numbered 116 years at his decease in 1291. He must be known to many of your readers, especially the *Oriental*, by his '*Gulistan*,' and two other posthumous works.

There are, I apprehend, very few persons conversant with general literature who have not read and admired the '*Parable against Persecution*' attributed to Dr. Franklin, but of which he does not appear to have directly claimed to be the inventor; nor could he have made this claim with justice, as he only varied it in a few circumstances from what will appear to have been his original, and to which I wish, from respect to his memory, he had acknowledged his obligations.

I am not aware that Franklin's *version* had appeared in print, till it was thus introduced by the late Lord Kaimes in his '*Sketches of Man*,' (B. 3. Sk. 3. iii. §. 2.) I quote the edition of 1807, iii. 435, 436.

"The following Parable against Persecution was communicated to me by Dr. Franklin of Philadelphia, a man who makes a figure in the learned world:

'1. And it came to pass after these things, that Abraham sat in the door of his tent, about the going down of the sun. And behold, a man, bent with age coming from the way of the wilderness, leaning on a staff.

'2. And Abraham arose, and met him, and said unto him, turn in, I pray thee, and wash thy feet, and tarry all night, and thou shalt arise early in the morning, and go on thy way.

'3. And the man said, nay; for I will abide under this tree.

'4. But Abraham pressed him greatly: so he turned, and they went into the tent; and Abraham baked unleavened bread, and they did eat.

'5. And when Abraham saw that the man blessed not God, he said unto him, wherefore dost thou not worship the most high God, creator of heaven and earth?

'6. And the man answered and said, I do not worship thy God, neither do I call upon his name; for I have made to myself a god, which abideth always in my house, and provideth me with all things.

' 7. And Abraham's zeal was kindled against the man ; and he arose and fell upon him, and drove him forth with blows into the wilderness.

' 8. And God called unto Abraham saying, Abraham, where is the stranger ?

' 9. And Abraham answered and said, Lord, he would not worship thee, neither would he call upon thy name ; therefore have I driven him out from before my face into the wilderness.

' 10. And God said, Have I borne with him these hundred and ninety and eight years, and nourished him, and clothed him, notwithstanding his rebellion against me ; and couldst not thou, who art thyself a sinner, bear with him one night ? '

"The historical style of the Old Testament is here finely imitated, and the moral must strike every one who is not sunk in stupidity and superstition."

In the ' Miscellaneous Works ' of Dr. Franklin, (1779) p. 72., this ' Parable ' was quoted from Lord Kaimes as written by Franklin. It is likewise attributed to him in the late complete edition of his works. Franklin was, however, I have no doubt, indebted to Jeremy Taylor, who thus concludes his ' Liberty of Prophesying,' not the first edition, (1647,) but the edition of that work which is included in the author's ' Polemical Discourses,' (1674.) At p. 1078, he says: ' I end with a story which I find in the Jews' books.' This story, which follows *verbatim*, is also quoted from Bishop Taylor, in the ' Essays Ecclesiastical and Civil,' by the Lord Commissioner Whitlocke, (1706) p. 105, though unaccountably omitted in the edition of the ' Liberty of Prophesying ' (1702) now before me.

' When Abraham sat at his tent door, according to his custom, waiting to entertain strangers, he espied an old man stooping and leaning on his staff, weary with age and travel, coming towards him, who was an hundred years of age. He received him kindly, washed his feet, provided supper, caused him to sit down ; but, observing that the old man eat and prayed not, nor begged for a blessing upon his meat, asked him why he did not worship the God of heaven ?

' The old man told him, that he worshipped the fire only, and acknowledged no other god ; at which answer, Abraham grew so zealously angry, that he thrust the old man out of his tent, and exposed him to all the evils of the night, in an unguarded condition. When the old man was gone, God called to Abraham, and asked where the stranger was ? he replied, I thrust him away, because he did not worship thee. God answered him, I have suffered him these hundred years, although he dishonoured me, and couldst not thou endure him one night, when he gave thee no trouble ? Upon this, saith the story, Abraham fetcht him back again, and gave him wise instruction.'

Jeremy Taylor, when he mentions ' the Jews' books,' probably refers to a passage of which I offer you a literal translation, subjoining the original, from an ' Appendix to the Memoirs of Dr. Priestley,' (1806, p. 376,) by his learned friend Mr. Thomas Cooper. It is part of ' a dedication to the Consuls and Senate of Hamburgh,' of a book whose title is, '*Shebeth Jehudah, Tribus Judæ. Solomonis fil Virgæ, Complectens varias calamitates, Martyria, Disper-*

siones, &c. &c. Judæorum. De Hebræo in Latinum versa a Georgio Gentio, 1680.' This may have been an edition since 1674; or, perhaps, may afford an example of the no uncommon artifice of a second title-page.

'The most noble author, Sadi, has recorded a remarkable instance of the venerable manners of antiquity in the Patriarch Abraham. He was so eminently hospitable as scarcely to deem himself secure and happy unless some stranger would accept his attentions and friendship as a guest, and thus become, as it were, the protector and safeguard of his habitation. Once, having no guest in his house, he went abroad into the fields to invite some passenger, when he chanced to observe an old man, worn with years and fatigued by travel, reposing under a tree. He courteously conducted the stranger to his dwelling, and there entertained him with abundant kindness. Supper being served up, Abraham and his family commenced with prayer, while the old man immediately began to eat, without performing any previous rite of piety or reverence, which Abraham remarking, said to him, 'My old man, it is surely unbecoming thy grey hairs to sit down to meat without first invoking the deity?' The old man replied, 'I am a fire-worshipper, and ignorant of this ceremony, since my ancestors instructed me in no such rite.' On hearing this, Abraham was so exceedingly shocked at having entertained a fire-worshipper, that, driving him from supper, he instantly expelled him from his house, as unworthy of his society, and the enemy of his God.

'But, behold, the Most High God thus directly admonished him: 'What hast thou been doing, Abraham? Did it become thee thus to conduct thyself? This old man remained, even to the present time, ungrateful and insensible to the blessings of life and subsistence; yet I have not ceased to bestow these upon him for now more than a hundred years; you, however, refuse him even one supper, and cannot bear with him for a single moment.' Abraham, thus divinely reprov'd, hastened after the old man, whom he reconducted to his house. He there cultivated his friendship, by so many pious offices of affectionate regard, that he inclined him, by his own example, to the worship of the true God.

'Thus, illustrious nobles, may you be disposed to conciliate the Jewish nation by similar zeal, by your own bright example, your genuine piety and moderation, rather than to exclude them by rigorous treatment. May you be willing to gather to the fold of Christ these lost sheep, rather than to drive them away.*'

* 'Illustre tradit nobilissimus autor *Sadus*, venerandæ antiquitatis exemplum, Abrahamum Patriarcham, hospitalitatis gloriâ celebratum, vix sibi felix faustumque credidisse hospitium, nisi externum aliquem, tanquam aliquod præsidium domi, excepisset hospitem, quem omni officiorum prosequeretur genere. Aliquando cum hospitem domi non haberet, foris eum quæsiturus

I am aware of unavoidable repetitions in the different versions of this Apologue, but, without quoting the entire story from each, I could not furnish those of your readers, who have a taste for such investigations, with the means of marking the variations, and especially of ascertaining the extent to which Franklin was a copyist. He can, indeed, afford to be dispossessed of borrowed plumage, and yet be seen to soar above the *servum pecus*, whom Horace has denounced, and to appear among those *Illuminati* whom Providence prepares, by their wise and happy improvement of circumstances, to

‘Enlighten climes and mould a future age.’

I may, perhaps, take some occasion of recurring to Franklin, led by your late remarks on his ‘Life and Character.’

N. L. T.

October 5.

P. S.—I had occasion, a very few days since, to look into the ‘Life of Jeremy Taylor,’ which the late Bishop Heber prefixed, in 1822, to an edition of his works. From thence I add the following quotations:

‘The story is found in the ‘Bostan’ of the Persian poet Saadi, as appears by a literal translation which I have received from the kindness of Lord Teignmouth.’ (P. ccv.)

‘Lord Teignmouth informs me that Saadi, in his ‘Gulistan,’ relates of himself, that, having been taken prisoner by the Franks, he was compelled to work, *with some Jews*, on the fortifications of Tripoli. And he suggests, therefore, that he may have possibly heard the story from them, so that it may, after all, have been originally derived from a Jewish source. A learned

campestris petiit. Fortè virum quemdam senectute gravem, itinere fessum, sub arbore recumbentem conspicit.

‘Quem comiter exceptum, domum hospitem deducit, et omni officio colit. Cùm cœpam appositam Abrahamus et familia ejus à precibus auspicarentur, senex manum ad cibum protendit, nullo religionis aut pietatis auspicio usus. Quo visu, Abrahamus eum ita affatur: ‘Mi senex, vix decet canitiem tuam, sine prævia Numinis veneratione, cibum sumere.’ Ad quæ senex: ‘Ego ignicola sum; istius modi morum ignarus; nostri enim majores nullam talem me docuere pietatem.’ Ad quam vocem horrescens Abrahamus, rem sibi cum ignicola profano et a sui numinis cultu alieno esse, eum è vestigio et à cœna remotum, ut sui consortii pestem et religionis hostem domo ejecit.

‘Sed, ecce, summus Deus Abrahamum statim monet: ‘Quid agis Abraham? Itane viro fecisse te decuit? Ego isti seni, quantumvis in me usque ingrato, et victum centum amplius annos dedi; tu homini nec unam cœnam dare, unumque eum momentum ferre potes?’ Quâ Divinâ voce monitus, Abrahamus senem ex itinere revocatum domum reducit, et tantis officiis, pietate, et ratione colit, ut suo exemplo ad veri Numinis cultu eum perdux crit.

‘Vos quoque. Proceres nobilissimi cum pari studio Judæorum gentem habeatis, laudatissimo more atque exemplo, pietate potius servare, quam severâ disciplinâ excludere; eos tanquam perditas Christi oviculas colligere quam dissipare mavultis.’

Jew, also, Mr. J. D'Allemand, professes to have a strong impression on his mind, that the tradition is to be met with, in all its circumstances, in one of the commentaries on Gen. xviii. 1. No such commentary, however, has been discovered." (P. ccclxvi.)

The biographer has given the whole original of Gentius, excepting his application of the story, to inculcate on the Senate of Hamburg their continued toleration of the Jews. He also quotes the whole 'translation of the story' from 'The Asiatic Miscellany, Calcutta, 1789.' This translator, though evidently not unacquainted with his original, has failed to serve the English reader so literally as he ought to have done.

MILITARY AND MEDICAL VACANCIES IN INDIA.

To the Editor of the Oriental Herald.

SIR,

January, 1827.

It is 'quite refreshing' to perceive how well informed the Courts of Directors and Proprietors begin to be upon all subjects brought under their review at the India House: and this was never more conspicuous than in the late debate at a Court of Proprietors, on the 19th ult., on the subject of '*Military and Medical Vacancies.*'

In the debate alluded to, Mr. Hume, after commenting, with great propriety, on the lamentably inefficient state in which Native corps are often left, by their officers being posted to the staff, passed to the medical department, and deplored the very great deficiency of medical officers in the Company's army; and, as an inducement to the Court of Directors to render this important branch of their service more efficient, mentioned, with regard to his Majesty's service, that 'the losses in the medical department in India were so great, and the necessity of having a greater number in each regiment was so strongly felt, *that the King's regiments, serving in India, had now, by the consent of the Directors, THREE MEDICAL OFFICERS, (one surgeon and two assistant surgeons,) INSTEAD OF TWO AS HERETOFORE.*' A regulation which the honourable Proprietor thought would be of great advantage, if adopted in the Native corps. And so must every one else think who has been in India.

Mr. Hume was followed by the Chairman, who, after modestly acknowledging that the honourable Proprietor had a considerable advantage over him in his many *private* sources of information, while *he* could only consult *public* and official records, remarked, with regard to the latter topic, that he was not aware that there were any complaints of a deficiency in the Indian Medical Department, and that he, for one, thought the establishment sufficient; and, with respect to the King's regiments, 'he was aware that *an additional assistant-surgeon* had been recommended to each of the King's regiments in

India, and in this recommendation the Court of Directors entirely concurred; but that, after all, even including the *late addition* made to the King's regiments, he thought the Company's corps were as well supplied as they were.' An opinion in which, probably, every one who has been in India will *not* concur.

To this Mr. Hume replied, that it was not to be taken for granted, that because there might be no complaint, there was no cause for it: and insisted, that, as it had been considered right to *increase* the number of surgeons in the King's regiments, for the same reason an increase ought to take place in those of the Company. Which certainly *might* be either a good or a bad way of reasoning; though, in the present case, I confess I would decidedly call it a good one.

To this the worthy Chairman retorted, that though, 'by the new regulation, the King's regiments would have a *surgeon and two assistants*, he did not think there existed the same necessity for a third medical officer in the Native corps;' and he gave some rather fair, but not conclusive, reasons for so thinking.

Still Mr. Hume was not to be foiled in his object. So up got Mr. Wigram to assist the worthy Chairman's arguments, and, among other things, observed, that the honourable Proprietor, in looking at the Company's medical establishment, built too much on what had been done in the King's regiments, without allowing himself to consider the different circumstances in which those regiments and the Native corps are placed, &c. &c.

To Mr. Wigram succeeded Col. Baillie; and after him followed Doctor Gilchrist, but (either luckily or unluckily for my poor understanding) without, after all, coming to any conclusions; for, at the rate at which they were getting on, I verily believe they would very soon have made me believe that black was white, or a chesnut horse the same as a horse chesnut.

This, Mr. Editor, may be all incomprehensible to you; but I leave you and your readers to decide whether there was not *some* grounds for my fears, when I seriously inform you that, *during a personal knowledge of the state of King's regiments in India, for more than twenty years, I never knew them have less than one surgeon and two assistant-surgeons attached to each! and that they had the same establishment long before, I conscientiously believe, but how long my personal experience will not enable me to say.*—Where, therefore, Mr. Hume, and the Chairman, and the other worthy Members of the Court, can have picked up their information respecting these new arrangements, I cannot guess. But, as many of the Directors are known to be constant readers of your Journal, some of them may, perhaps, have the goodness to give us a peep behind the curtain, and set us all right; which will be no small gratification to

CAPTAIN KEPPEL'S JOURNEY OVERLAND FROM INDIA TO
ENGLAND.

TOWARDS the close of the month just passed, Captain Keppel's interesting volume made its appearance, but too late in the month to admit of our doing more than glancing through its contents, and stating our general impression of its claim to favourable reception. It is very beautifully printed, and embellished with several interesting engravings, among which are two plates of costume from Oriental drawings; a most accurate delineation of the ruined palace at Ctesiphon, called Tank Kesra, or the Arch of Chosroes; eight light sketches, engraved on wood, and incorporated with the text, containing chiefly fragments of antiquity, and a map of the author's route.

The party, of which Captain Keppel formed one, consisted of Mr. Ker Baillie Hamilton, Mr. Lamb, Captain Hart, and himself, who, all meeting together at Bombay, in the month of January 1824, associated themselves, for mutual pleasure and safety, to perform the journey to England in company. They left Bombay in his Majesty's ship *Alligator*, Captain Alexander, touched at Muscat, sailed up the Persian Gulf, and landed at Bussorah in the month of February. From thence they ascended the Tigris to Bagdad, and after an excursion from that city to the ruins of Babylon, and, subsequently, a short stay at Bagdad itself, they proceeded eastward into Persia, passing through Kermanslah, Hamadan, Tehraun, and Tabreez, to Baku, on the western shore of the Caspian Sea; from thence northward by Astrakhan, and across the Araxes into Russia, visiting Nishney Novogorod, Moscow, and St. Petersburg, and reaching England in November of the same year; the whole journey thus occupying about ten months.

The character of the work in which the incidents and observations of the journey are detailed, is that of a light, agreeable, and well-written diary, in which the good humour and good sense of the author is every where apparent; and where no blemishes, either of unamiable feelings, or objectionable expressions, occur to offend the judgment or the taste of the reader. A very brief, yet eloquent and touching dedication of the volume to the protection of a beloved parent, indicates with what view the diary itself was composed and preserved; and the pages that follow are by no means unworthy of a son to offer to such a father as the Earl of Albemarle, to whom they are addressed.

The early parts of the journey, including the descriptions of

Muscat, Bussorah, Bagdad, Babylon, Ctesiphon, Kermanshah, and Hamadan, are more fully and completely described than the latter, which embraces the route through Russia, the inferior interest of which is no doubt sufficient to account for this difference. Having had personal opportunities of seeing all the cities and towns included within the early portion of the route, we can vouch for the general accuracy of the descriptions which Captain Keppel has given of their present state and ancient remains; and if he has not, in each case, said all that might be said on the places through which he passed, he has at least seized, with the taste and judgment of an experienced observer, the principal features of the scenery, manners, ruins, &c., which came before his eye, and conveyed his impressions to the reader in language so clear and familiar, that most persons, on reading the book, will occasionally imagine themselves to be present as one of the travelling party.

The different standards of excellence, which different classes of readers set up for themselves, or still more frequently adopt from others, as the model of perfection in their eyes, by which books of travels are to be judged, and for their conformity to or departure from which they are to be approved or condemned, renders it a matter of extreme difficulty for any writer to know what will be most likely to be acceptable to the greatest number of readers. The theological student seeks only for information respecting the religion of the country, and such illustrations as it may afford of the divine origin of his own peculiar faith; the antiquarian ransacks every page for accounts of ancient ruins and relics of early days; the geographer wishes to know, to a second, the latitude and longitude of every town and village by lunars or chronometer, the exact course of every brook and rivulet, and the distance by perambulators between towns of which nothing is known except the name; the artist pines for views of scenery, architecture, and costume; the political economist is curious only as to the increase of population, growth of corn, foreign trade, revenue, and taxation of the country; the politician seeks to discover what are the existing treaties of alliance, offensive and defensive, between the state and its surrounding neighbours, who are the ambassadors at Court, what are the means of influence used in the intrigues of the ministers, and whether there is a probability of the nation being inclined to war or peace. Besides all these, there are the philologist, the mineralogist, the botanist, and others yet unnamed, and between each of these again are intermediate links, who differ but in trifling shades from those who go before, and follow after them; while, to fill up the measure of the author's difficulties, a large class remains, who want nothing exclusive, but demand incessant and unintermitting *amusement*. The

only condition they exact is, that they must be made to laugh, no matter by what: no question will be asked as to the how or the why; if the book be *amusing*, they will not only read it themselves but recommend it to their club, their circulating library, and even their private friends. If it does not make them *laugh*, however, it can have no merit. It may be learned, acute, profound, clever, instructive—any thing the author pleases; but if it has neither jokes, nor puns, nor anecdotes, sprinkled over its surface—(whether the author was a man of humour, or whether humorous incidents ever fell in his way or not, no matter; if those did not really happen, they must be invented)—they will admit that the book has *merit*; but they will be sure to add, that it is ‘damned dull,’ or ‘cursedly dry,’ or that ‘it may do on a wet day in the country,’ or some phrase equally expressive of their abhorrence of every thing that has not fun and drollery to recommend it.

Notwithstanding these difficulties, it will be considered no slight praise to say, and we do so with great sincerity, that we believe Captain Keppel’s book will be found not unworthy the attention of any one of these numerous and exclusive classes. We need not particularize the portions from which each may derive the peculiar description of instruction or pleasure of which they are in search: but we can safely express our conviction, that all rational inquirers after information and entertainment will find both agreeably combined in the volume, which we heartily commend to their perusal.

THE LATE JOHN FOWLER HULL.

To the Editor of the Oriental Herald.

SIR,

Dec. 30, 1826.

A WRITER in the *Spectator*, (610,) having adopted the common and not uninteresting theory of ‘spirits or angels who look into the affairs of men,’ proceeds to describe those super-human intelligences as endowed with ‘the visual nerve’ in such a healthful condition, that they are not ‘dazzled with the splendour of titles.’ He farther describes them, as hearing no melodious sounds in ‘the noise of victories.’ Hence ‘the evening walk of a wise man is more illustrious in their sight than the march of a general, at the head of a hundred thousand men;’ for ‘they do not look for great men at the head of armies, or among the pomps of a court, but often find them out in the shades and solitudes, in the private walks and by-paths of life.’

I was forcibly reminded of this passage, on observing the following paragraph, which announced the decease of one of these ‘great men,’ according to *angelic* estimate. I had formed a slight per-

sonal acquaintance with him, in consequence of some little attention which I had the pleasure to offer, as he passed through London in 1824, to commence his foreign travels, little expecting so soon to reach 'the bourn from which no traveller returns.'

'Died, on the 18th of December last, at Sigaum, about forty miles south of Darwar, in India, after a few days illness, in his 26th year, JOHN FOWLER HULL, of Uxbridge, a member of the Society of Friends. He was a young man of great literary acquirements, and had performed a journey over land to India, where he had resided about eleven months, with the view of increasing his knowledge in the Oriental languages.'—*Times*, June 28, 1826.

You will, I am persuaded, readily preserve this short record of one who sought the East, conducted thither, not by the *auri sacra fames*, which sends so many, a few to prosper, and the rest to perish, but under a more hallowed impulse,—the insatiable desire of intellectual pleasure, that happily-constituted wealth, which a man scattereth, and yet increaseth.

N. L. T.

CONDITION OF FORT WILLIAM.

To the Editor of the Oriental Herald.

SIR,

Bengal, Feb. 15, 1826.

The good people in England are not, perhaps, aware that the Governor-General of all the Indies is, in virtue of his high office, Military Governor of the fort and garrison of Calcutta. It is called Fort William in Bengal, is garrisoned by his Majesty's troops and those of the Company, whose officers hold our gracious sovereign King George's commission. In this garrison the Governor rules supreme, and if you can entice some of your friends to give you the history of his Lordship's military conduct *there*, you will have a rich treat indeed! In this microscope will be found his Lordship's select band of favourites, and to find fault with any of those would, of course, be a personal insult to the Governor, or, as he is styled, the Right Honourable the Governor of Fort William. Thus, it is wisely ordered, that his Majesty's representative,—the Commander-in-Chief, I believe, may be so styled,—shall have no power over his Majesty's forces when in Fort William; and every man, of course, gives up his army rights the moment he passes the drawbridge of this miraculous fort. It is commanded at present by an active enterprising officer of the Honourable Company's Engineers, styled, 'Colonel Commanding in Garrison;' and in communication with the General of the Presidency Division, the reliefs of the garrison are provided. This gives the appearance of authority to the Major-General of Division and to the Colonel of the Garrison; but this is all, the Governor keeps his representative in the fort under the designation of Town Major, and the office is now held by a great

favourite and friend of the Governor's. Through this officer's extreme ingenuity the anomaly, an *imperium in imperio*, is not felt; and through his great care, humanity, and active exertions, the fort is clean, the troops sober, and all wears an air of strict military discipline, cheerfulness, and health within its walls. It is remarkable that the cholera seldom visits this garrison, and, when it does, so prompt is the medical assistance, that 'death affrighted flies.' Should you hear reports to the contrary, you must be on your guard and not credit them, because health-officers, like the rest of the Governor's staff, are selected with care, and placed there until better appointments fall vacant, in which, from their superior qualifications, their patron can place them to public advantage, and thus at the same time reward their high deserts. The Major has the happiness to give universal satisfaction, and the Governor, who has all the credit of *his* measures, is, consequently, much beloved, and almost adored.

I cannot get at the orderly-book, in which there are excellent specimens of a clear and concise style, such as the Governor must be highly pleased to read, and as I am desirous of performing the most pleasing part of a chronicler's duties, I regret I cannot furnish you with extracts elucidatory of what I have just recorded. The exertions of the Major, like those of the Governor, do not benefit himself; pale, wan, and wearied, he goes on, from day to day, wearing out the remains of a well-spent life for the benefit of his fellow-creatures. There is a golden rule lately discovered by the Governor, which has been put in practice, and is likely to have, in all Governments military, a most happy effect, from the success which has attended it. It saves officers from General Courts Martial, and gives the Governor the power of making right wrong, and wrong right at pleasure. This will be highly prized in Leadenhall-street, I have no doubt, and when made known, doubly too, it will blot out that power from their memories, the doubling of army charges, and the expenditure in commissariat and shipping therefrom arising,—'all, all, like the baseless fabric,' &c. as Shakspeare says. The loss of life, and the causes of it, are not worth consideration! 'tis the soldier's duty to fight and suffer,—or, why else do they enlist? If you get any one to give you the golden rule, it will be a prize, indeed. Junior officers may now disobey their superiors without danger; they may neglect their duty, and be raised to a higher grade for so doing; and it is said, a colonel, an adjutant, and a head surgeon in the garrison, have received all the answers in cases where officers and men have died without having been attended to or seen by the assistant to whom it belonged to have attended upon them. How this has been accomplished, I cannot, for want of having seen the new rule of the Governor's discovery, tell you: but it is very wonderful, you must allow.

J. J.

MAJOR SNODGRASS' NARRATIVE OF THE BURMESE WAR.

A VERY striking proof of the general apathy of the English nation to the history or fate of that portion of their possessions which continues in the hands of the East India Company, is to be found in the ignorance as well as utter indifference which prevails among all classes as to the late war with the Burmese. The exhibition of the captured car and throne of the Monarch of Ava, at the Egyptian Rooms, in Piccadilly, was almost the only mementos which the people of England possessed to keep the fact of there being a war in India at all within their recollection. No one was the richer—no one the poorer for the event. The stocks neither rose nor fell on the occasion. The navy and army were neither of them called into active service: the establishment at the Horse Guards and the War Office continued the same: the Treasury, the Ordnance, the Commissariat, the Victualling, and the Transport Department, were all undisturbed by what was passing: and not a merchant or a manufacturer in England troubled himself to anticipate what might be the result.

How different the sensation created by the events transpiring in other countries! Bolivar proclaims a constitution for Colombia,—a country nearly as distant, and to which we have no affinity or claim: the public journals of England teem with observations on the event. Some mines in Mexico are declared to have failed: the whole kingdom is agitated, from one end to the other, with discussions on the misfortune. An insurrection is merely apprehended in St. Domingo; a country peopled by another race: the papers speculate on the probable consequences of such a step. The intercourse between the United States and the West India Islands is placed on a new footing; and column after column of every journal in Britain is filled with the correspondence between Mr. Canning and Mr. Gallatin, in addition to the President's message on the subject. The Princess Regent of Portugal is alarmed at the threats of certain malcontents, under a priest ridden Marquis, and sends to England for assistance and protection. Immediately, the King's ministers meet; both Houses of Parliament assemble; his Majesty is addressed; the finest displays of eloquence flow from both sides of the national assembly; the Guards are under orders; they march, embark—and are wafted as rapidly as the most favourable winds can carry them to the banks of the Tagus. The arsenal at Portsmouth assumes all the importance and activity of a time of war—the Stock Exchange is a scene of

intense interest and speculation—the public papers are filled to overflowing with the most minute details of what is passing—and the whole kingdom, from its extreme limits, is thrown, as it were, into sudden convulsions of hope, expectation, and alarm, by the movements of a few hundred men, in the mere apprehension—for it has never yet amounted to more—of the remote possibility of a war!

But in India, a war actually commences; the very capital is threatened, and whether reasonably or not, its inhabitants entertain actual fear of an immediate invasion and attack from the enemy; a country is invaded by our troops; millions of treasure are lavished on fruitless, and even ruinous undertakings, from the ravages of pestilence and war, thousands of lives are sacrificed; English fathers and mothers bewail the premature loss of their promising sons; English daughters lament the death of fathers and brothers: and English widows mourn the melancholy end of husbands, in the swamps of sickness and the fields of carnage, between which the victims of death were equally divided. Nay, at one period, it was a doubtful question whether the moment of general disaster might not be seized by the disaffected Natives of India to throw off the yoke of their foreign conquerors and oppressors, and drive the English entirely from the country. Yet all this excited no *national* feeling in England. It was regarded as merely an affair of the East India Company, in which the British nation generally had no interest; and it was thought that even if India reverted to its original possessors, no one would suffer any loss except the proprietors of India Stock, who alone, it is imagined, benefit by its retention. If it be asked, why the fate of a dependency so much larger than the mother country itself, and containing a hundred millions of subjects and dependents, should excite so *little* interest, there is but one intelligible answer to the question, which is, that, speaking of the people of England generally, no man's *fortune* is affected by any changes that occur in the condition of that dependency; and *therefore* no man gives himself the trouble to think upon the subject. Whether the republics of South America be in a state of peace or war is a question that interests them deeply, because the loan-dealers, merchants, manufacturers, have all large pecuniary interests depending on the issue; but whether the Burmese or the Peguers, the Cochinchinese or the people of Arracan, agree among themselves, or with their English neighbours, is to the same class of loan-dealers, merchants, and manufacturers, a matter of the utmost indifference, as they have no pecuniary interests depending on their harmony or discord. If the mines of Mexico succeed in their operations, thousands in England will be enriched: and if they entirely fail, thousands will be ruined by the event. But

whether the mines of Golconda are even working or not, no man in England either knows or cares, because their progress or their stoppage will not add to, or take from, any man's income a single shilling; and therefore, while intensely alive to the slightest fluctuation of the one, he would hear of the utter ruin of the other with perfect indifference. This is the true clue, and indeed the only one, by which the apparent mystery can be unravelled; and it extends to every possible shape in which the comparison can be made, between the deep interest taken by the English in the affairs of all other countries, and their entire apathy as to those of what is called, but never really considered by them to be, *their own* immediate dependency—the British Empire in the East. And they are right in so concluding; for how can that be called *their own* from which they are excluded by law? which they dare not set their foot on without permission from another? and which permission, when granted by the pretended owners of the estate in England, may be revoked by their servants or managers in India, and the visiting individuals banished back again to the other extremity of the earth for their pains? It is *not* their own; the nation has no part or parcel of it for their enjoyment; it never will be considered by them to be worth a thought, until this absurd system of exclusion is altered; and, therefore, let whatever changes happen, until the COLONIZATION OF INDIA be freely permitted, and Englishmen have the same right to go and come, to settle or depart, to trade and live, to acquire property and form connexions, in India with the same freedom as in every other part of the British dominions, the nation at large will be as indifferent as at present; though, when that takes place, and men's fortunes are affected by events in India, as they now are by an insurrection in Demarara—by a non-intercourse with the United States—or by a war with Spain or Portugal---we shall then see the monied, the mercantile, the manufacturing, the shipping, and even the landed interest, all keenly alive to the most trifling events; and have as many zealous and powerful guardians of East Indian interests here, in Parliament and out, as there are now of West Indian, whenever any question is agitated which is likely to affect the value of plantations or produce, slaves or shipments, in these comparatively insignificant possessions. If the country neglects to ask, and the ministers to grant, this *right* of Englishmen to the full enjoyment of all the advantages which every dependency of the empire can be made to yield, upon their heads be the blame; and if both remain silent and inactive when such great interests are at stake, both will deserve the curse of posterity and the contempt of the age in which they live.

To return to the 'Narrative of the Burmese War,' the consi-

deration of which has given rise to these reflections, we may mention, that as there is now in course of publication, in the pages of this Journal, a more detailed and comprehensive account of the *whole* of the operations during this unfortunate war (for so it must, in every sense, be considered) than is given by Major Snodgrass, there is the less necessity for drawing from this source the particulars respecting one division of the campaign only. The series of articles publishing in the 'Oriental Herald,' (of which the third is given in the present Number) includes a narrative and review of the invasion of Assam, the operations in Sylhet and Cachar, those on the Chittagong frontier, and the campaigns in each of these quarters, by the different generals in command of each division of the army employed, as well as the expedition to Rangoon: whereas Major Snodgrass professes to give only the operations of Sir Archibald Campbell's army, in this expedition alone, from the landing at Rangoon, in May 1824, to the conclusion of a treaty of peace, at Yandaboo, in February 1826. The former will, therefore, we apprehend, form the most comprehensive account of the war that has yet appeared; and of its accuracy and impartiality we have the strongest pledges, in the high military rank, and undoubted military talents, of the sources from whence our information is drawn.

The post occupied by Major Snodgrass, of Military Secretary to the Commander-in-Chief, and Assistant Political Agent in Ava, gave him the best opportunities of becoming acquainted with the events in which the army of Sir Archibald Campbell was engaged. These we have every reason to believe he has narrated with accuracy, and certainly in a style which needs not the apology he has put forth in his preface for its 'mutilated and military form.' The 'hurried notes of a soldier, taken while employed in active service in the field,' are just what one would desire in order to obtain a striking and faithful impression of the scenes described: and where no marked bias occurs to warp the writer's judgment, the reader may safely adopt it as sound and accurate. For those who desire to see, in a pleasing and connected form, the events that befel the division of the army with which Major Snodgrass was engaged, we do not know a better guide. His character of the enemy against which he was engaged is, perhaps, as correct as any picture which they might draw of their opponents in war: for each would, no doubt, use the terms of 'false and faithless, arrogant and restless;' and each call the other 'aggressors:' this is not peculiar to an Indian warfare. In *all* contests, whether of men or nations, if you will take *their* words for it, each party has not only a right cause, but has God on their side, to whose especial providence, and approbation of their claims, they ascribe the victory when won: though, when defeat happens, they do not do *themselves* the injustice to suppose the unrighteousness of their

claims, or the displeasure of the deity, to be the cause of their failure. 'A Burmese monarch,' says Major Snodgrass (p. 295), 'has never been known to make war for any other object than that of conquest, and the aggrandisement of his kingdom; and no instance is on record of one of the race having relinquished a single acre of what he could retain.' This is, no doubt, very true: but what is remarkable in this affair is, that the gallant Major did not perceive this to be a universal truth, applicable alike to all monarchs and all people; with so few exceptions in human history, as to make nothing against the universal application of the rule. For instance, take the case of his own countrymen generally, and that portion of them whom he calls 'his honourable masters' in particular: and let it be asked, for what have *they* ever made war, but to effect conquests and aggrandise their kingdom? This is not the avowed motive, any more than it is of the Burmese: an excuse of some other kind is always ready to be put forth; but, in reality, no wars would be undertaken were it not that one of the parties, at least, expected conquest and aggrandisement to follow: and of that party the East India Company has been as frequently as any other conquest-making body on earth. Again, we might ask, what number of acres have *they* ever relinquished, that they could safely retain? Their first settlement in India was on a few acres of ground, which they were allowed to fortify for self-defence. In the course of two centuries only they have spread themselves over the country like an inundation. They have now millions upon millions of acres, which they call their own: for they reckon themselves masters of the soil by their sovereignty, and exact nine-tenths of its produce, as rent for themselves. How did *they* possess themselves of all these acres? and how many of them have *they* ever given back to the poor wretches from whom they have been wrested? Alas! we believe the Major might traverse India in every direction and not find *one*. He would see whole districts ceded to the Company, sometimes by force and sometimes by fraud; he would find others captured by armies; others, again, subjected to tribute; and zemindaries and smaller estates seized by the Company for arrears of tax or rent, and put up to sale to the highest bidder, the proceeds going into the Company's treasury, instead of into the unhappy landowner's pocket. But he would not meet with *one single acre* which the Company had ever held and then relinquished, without a full equivalent, or even more than its value in return. Did not the very army with which Major Snodgrass was himself employed, get as much territory as was worth keeping, and as much money as could be made forthcoming from the Burmese themselves? Are we not to have, by treaty, the only parts of the territory worth accepting for our own use? Is there not a portion of the sea coast, as well as ports and towns,

given up to our holy keeping? And did we not, after injuring the Burmese to the extent of many crores of rupees—most *wisely* injuring ourselves also to inflict this punishment upon others,—demand to be paid for the injuries we had already done them, by a ready money tribute of a hundred lacs of rupees in cash, keeping possession of Rangoon as a security until it should be paid? Did the Honourable East India Company ever think of giving back a portion of this? On the contrary, when the Burmese, in the true spirit of the Trading Company with whom they had to deal, sent them, as a first instalment, only a quarter of the sum stipulated to be paid, and this, instead of pure silver, half dirt and dross, were they not abused in the loyal prints of the Company in India, as set of ‘wily and faithless barbarians,’ because they were cunning enough to overreach the over-reachers, and to retaliate by breaking faith with those who always do the same when it suits their purpose better than maintaining it?

We should like much to see a Burmese narrative of the war, and a Burmese estimate of the character of their English invaders. Out of this and Major Snodgrass’ account, a fair estimate might, perhaps, be formed of the truth. But, at present, it is something like the Freedom of the Indian Press, where all praise of certain parties and things, and all censure of certain other parties and things is freely admitted; but where, to reverse the rule, is to invade the proper limits of discussion, to do violence to the established order of things, and to set up truth as more important than decorum,—an error which is fatal to all good government!

S O N N E T.

Written in South Africa.

My Country! when I think of all I’ve lost,
 In leaving thee to seek a foreign home,
 I find more cause, the farther that I roam,
 To mourn the hour I left thy favoured coast:
 For each high privilege, which is the boast
 And birth-right of thy sons, by patriots gain’d,
 Dishonour’d, dies where Right and Truth are chain’d
 And caitiffs rule—by sordid lusts engross’d.
 I *may*, perhaps, (each generous purpose cross’d,)
 Forget the higher aims for which I’ve strain’d,
 Calmly resign the hopes I priz’d the most,
 And learn cold cautions I have long disdain’d:
 But my heart must be calmer—colder yet—
 Ere England and fair Freedom I forget!

EASTON'S IMPROVED HYDRAULIC ENGINE.

THE processes of agriculture in India, as is well known to those who have visited the interior of that country, are of the rudest kind, and the productions of the soil much less abundant than they might be made by an improved system of irrigation and culture. The destructive policy of the East India Company has hitherto shut out from their vast territories the successive improvements which have been made in the machinery and processes of Europe, and until COLONIZATION is permitted, this will continue to be the case; for, since no Englishman can become a purchaser of land in India, none is likely to become an improver of the property of others, especially when he may be torn from all the benefits of his improvements at a moment's warning, and exiled, with or without a reason, from the scene of his labours and his hopes. Nevertheless, as intelligent men are beginning to spring up among the Natives, as well as among the Indo-Britons,—both of whom may become proprietors of land in India, though no Englishman can,—we think it may be advantageous to them to know something of the machines by which their estates can be much improved; and with this view, we introduce to their notice a brief account of the Hydraulic Engine of Mr. Easton, which is rapidly getting into use in England, and which we hope will soon be adopted in India also.

Two valves and one reservoir of air constitute the machine. Two necessary tubes are requisite to each; the first is a charger, the second a conduit-pipe, both of them common to other engines for raising water.

Mr. Easton having constructed a great number of these machines of all sizes, in different parts of England, considers it sufficient to put the public in the way of knowing,—1st, Whether this machine is convenient for the situation of their lands; 2dly, what quantity of water it can raise to the desired height; and 3dly, what would be the expense of erecting it on their estates. With this view, he has stated the following facts.

This machine cannot be applied to stagnant waters; it requires in general a fall from one to an indefinite number of feet; when the spring or brook has not a reservoir already, (that is, a dam,) it may be constructed at a small expense.

When a quantity of water is wanted to be raised to the height of about ten feet, a fall of one foot, or even as low as six inches can be made use of to effect the purpose.

This engine raises, at a single throw, to the desired height, a part of the water it has to dispose of; and, in order to know nearly the

those in whose hands their destinies are placed, to examine carefully into their claims, to put the whole military force of India on a far more efficient and well-provided footing than at present; to increase the pay, quicken the promotion, augment the rank and honour, and consult the wishes and feelings of that vast and important arm of the service, before it be too late; since it is undeniable, that the want of due attention to all those particulars has already given great disgust, alienated the affections, destroyed the feelings of respect, uprooted the enthusiasm, cooled the ardour, broken the spirit, and done every thing that could bring an army to the brink of despair and disaffection, mingling with and justifying each other,---which nothing but great self-respect and national loyalty has prevented from being manifested in some marked manner; and from which they can only be redeemed by a course of encouragement and reward, the very opposite to the clipping, retrenching, and degrading system, which has been so long pursued.

We do not purpose to enter here into an examination of Captain Badenach's propositions for improvement. It is sufficient for us to say that he is a 'reformer,' a name we hold in as much honour as the Church does that of the Luthers, Calvins, and Wickliffes, who first freed her from the slavery of superstition, but which is not in the best odour, either at the India House or the Board of Control. We doubt not, however, but that the influential persons at each of these departments will either read the book themselves, (as it is a small one,) or get some of the 'literary and political gentlemen of high qualifications,' who, we were lately told by an Indian 'Civil Servant,' the Directors have taken into their offices as examiners, &c., to assist their judgment, to read it for them. In either case, we hope some good will result, and Captain Badenach will deserve well of the service to which he belongs, and of the country at large, if his suggestions lead to any steps by which the Indian army can be made more efficient and more happy than they are ever likely to be under their present defective system.

SUMMARY OF THE LATEST INTELLIGENCE CONNECTED WITH
THE EASTERN WORLD.

THE prevalence of northerly and easterly winds, added to the unfavourable season generally for quick passages from India, has prevented the arrival of any ships from thence with advices of a later date than those given in our last. Every day may be now expected, however, to announce such arrivals; and, in the event of their bringing any thing material before our pages are finally closed, we shall give its substance in a Postscript at the end of the present Number. In the mean time, we proceed to notice several portions of the public papers from each of the three presidencies of India, which want of space prevented our including in the preceding Number: as well as the contents of various letters from the East, which we have since had an opportunity of perusing.

BENGAL.

The Earl of Arracan, as we suppose Lord Amherst must now be called, was, according to the latest advices, about to proceed to the Upper Provinces, and the Commander-in-Chief of the Indian army, Lord Combermere, (who ought, on the same principle, to have been made Earl of Bhurtpore,) was to remain as Vice-President at Calcutta; but from this, little or no change of system in the government of India is to be expected,—the absence of the Governor-General being but temporary; and all important measures delayed for reference to him as long as he continues within reach of the presidency. If he should receive information of his new title before he returns from his tour, it would be curious to ascertain the feelings of the natives of India, and especially those who have lost so many relatives among the Native troops that perished in Arracan, on hearing this singular association of the pestilential marshes, or rather graves, which swallowed up ingloriously so many hundreds of their countrymen, with the name of the Governor-General. To English ears, the change will not appear so disadvantageous. Lord Amherst was best known in Europe as the weak and unsuccessful Ambassador to the Emperor of China, who lost all the advantages of his mission because he would not conform to the usual ceremonies of the Court to which he was deputed, though he ought to have known, before he set out from that of his own country, whether he was prepared to submit to such state ceremonies or not; and, therefore, the Earl of Arracan, which is a well-sounding name, and of the history of which the great mass of the English people are still ignorant, will eclipse that of the Chinese Ambassador, and so far obliterate the universally unfavourable impression belonging to the name of Amherst, without creating more than a partially un-

favourable one in that of Arracan. If the late Commander-in-Chief of India had, for instance, sunk the proud name of Paget in that of Bhurtpore, the change of associations would have been most unfavourable; while that of Sir Stapleton Cotton might, for the same reason, have been much improved by the change to Earl of Bhurtpore. We cannot refrain from mentioning an anecdote, which shows the great inconvenience to all parties arising from these frequent changes of names and titles. During the visit of that brilliant character, Madame de Staël, to England, she passed a short time in conversation with the Earl of Liverpool, at some distinguished party; and the topics being naturally political, and referring much to public men, she asked his Lordship, with the greatest *naïveté*, what had become of that dullest of all dull nobles, Lord Hawkesbury, whom she supposed was either dead or retired into private life, as she had lost sight of him for several years? It is needless to state the embarrassment of the noble Earl at hearing *himself* thus characterized by his former title; but farther, the anecdote does not proceed. It would be quite as natural, however, for some equally distinguished foreigner to meet the Earl of Arracan at some future coterie of nobility, and to ask him, what had become of the Lord Amherst, who, when sent as Ambassador to the Chinese, refused to knock his head against the ground, and in consequence lost all the anticipated fruits of his errand?

We pass to more important matters.—The miseries occasioned by the late invasion of the Burmese territories, having fortunately been arrested by peace, we trust that commerce will hasten to repair, as far as it may be able, the ravages which its greatest enemy, war, has committed. If, indeed, the commerce of India were as free as it is by some supposed to be—if British ships could visit, as American vessels may do, every part of the Eastern world, including China, and trade from port to port, without license from the India Company, we should find the Burman Empire benefiting largely by our manufactures, and we, in return, profiting by their productions; as the country furnishes both sources of consumption, and articles of supply. In the Calcutta Government Gazette of July 3, 1826, the following details are given on this subject, forming an interesting addition to the extract given in our last Number, (page 89,) which this ought to have preceded. The Indian Editor says:

‘The late influx of European intelligence has hitherto retarded the account we promised of the commerce of the Burman Empire, both by sea and with the countries on its eastern frontier, and which we now offer to our readers: the particulars may be relied on, as the result of long and intelligent experience; and they will prove, we think, that even in the present state of that kingdom, the traffic with it holds forth prospects of the greatest advantage. If, however, the continuation of friendly intercourse which may be expected, should impart to the Burman administration corrected views of their own interests, and should induce them to consult the happiness of their subjects, the resources of the country will then be fully available, and the trade with it

will become an object of primary importance to British India, or even to England. The natural products of the Burman Empire, which are articles of exportation, or likely to become so, are the following: rice, grain, cotton, indigo, cardamoms, black pepper, aloes, sugar, saltpetre, salt, teak timber, stick lac, kuth, or terra japonica, areca nuts, dammer, fustic, sapan wood and earth, oil, honey, bees-wax, ivory, and rubies, and sapphires. The mineral products are iron, copper, lead, gold, silver, antimony, white statuary marble, lime-stone, and coal. The teak forests are described by persons who have visited them to be of the most extensive description, and fully equal to any possible demand for a period beyond computation. The sugar is manufactured by Chinese, and is white and of good quality: the exportation of it was prohibited, but if this were not the case, and if encouragement were given to the manufacture, it might be carried to a great extent. The price of the clayed sugar at Ava was 30 to 36 rupees the 100 vis, or 365 pounds avoirdupois. The lower part of the Burman territory, the districts of Sarwah and Sarawadi especially, is considered as particularly adapted to the cultivation of indigo—the plant grows wild, and is also cultivated by the Natives for domestic use; more than one factory was about to be established by Europeans, when the war broke out.

To this is added an account of the principal articles of import into the Burman territories, (already given at page 89 of the Number for the preceding month,) where, among other things, it appears that *Tea* of an excellent quality is imported from China, and sold at the rate of about *sixpence* per pound, (a rupee, or two shillings for one vis, which is about four pounds English,) while, in happy England, where ‘the freedom of commerce,’ ‘reciprocity of trade,’ ‘liberal policy,’ and other fine sounds, are rung in the nation’s ears, for the edification of all who understand and believe them, we have to pay *six shillings* instead of *six pence* for a pound, not of the best tea, or tea of excellent quality, but of the sweepings of the India House sales; the tea drunk by those who really like that beverage, and can afford to use it, costing about *twelve shillings* per pound—*four* times as much as it can be purchased for in the ports of America and the Continent of Europe—*eight* times as much as it can be had for, after all the expense of an immense distance of land-carriage, in Persia and Asia Minor—and *twenty-four* times as much as it can be bought for in Ava, where no Englishman, however, can dare to go, for the purpose of bringing home a cheap supply to his countrymen, without the *license* of the India Company, who, of course, refuse it, as all the profits of their commercial monopoly now consists in the enormous price which they make their easy and unresisting countrymen pay for their tea!

When it is considered that there is nothing in all England so universally consumed as tea, excepting, perhaps, only bread and water;—that however the English differ in other articles of food and drink,—some using spirits and others not,—some drinking wine, and others never tasting it,—some preferring beer, and others disliking that beverage,—few taking coffee, still fewer chocolate,—but *all* drinking tea,—from the prince to the peasant,—from the child of nine years to the parent of ninety,—from the waiting-maid, who earns but twenty pounds a-year, to the duchess who

spends her fifty pounds a-day,—and from the weaver, who receives but five shillings a-week, to the dukes and earls who lavish their five shillings per minute :—when the universal use of this Chinese herb is considered, forming, as it were, one of the first necessities of the English nation, it really does seem incredible that so many millions of people should stupidly, and, without an effort or remonstrance, submit to a monopoly which taxes them, for an article of nearly as much cost as bread in their annual consumption, at ten times the rate that even the corn-laws affect them; comparing the lowest price at which corn may be grown, in any country, with the highest at which it is ever sold in England, and the enormous difference of *six pence* per pound, for tea of excellent quality sold in Ava, and *twelve shillings*, the price which is paid for any tea deserving that classification in England.

It is added, in the account of the products of Ava, (see p. 90 of the preceding Number,) that tea is grown in that country, as we know it has also been in Brazil—and as we feel convinced it might be in many parts of our territories in India: and when the enormous consumption,* as well as enormous price of this article in England is considered, it is a reproach alike to the spirit and intelligence of the English people, as well as to its professing liberal Legislature, that such a grinding and odious monopoly as that of the India Company, which alone occasions this tax upon the country, should be still suffered to exist.

The Dutch, whose government in India we have been accustomed to regard as so much inferior to our own, know their commercial interests, at least, much better than their English neighbours. Whenever they find articles of value grown in the territories of other powers which they can introduce into their own, they adopt them. The Dutch, however, do not prevent COLONIZATION, and prohibit Dutchmen from becoming proprietors of land in Dutch possessions. This super-eminent folly is left for the English, to whom it is a scandal and reproach. No Englishman, as a private individual, will introduce the tea-plant into India, because he cannot be the owner of an estate; and even if acting as its manager, or agent, he may be removed from it at the caprice of any governor who dislikes him: nor will the India Company's servants do it, because that would interfere with the great monopoly of their masters. But the Dutch are restricted by no such considerations, and accordingly we find the following paragraph in an Indian paper of the 3d of July:

* The quantity of tea taken for home consumption, within the last twenty years, amounts, in the whole, to 430,308,170 pounds weight. The average consumption of this article in the kingdom for that period, will, therefore, be yearly, 21,515,408 pounds; weekly, 413,758 pounds; or 58,947 pounds in each day.—*Globe*.

'We observe, from this morning's *Hurkaru*, upon the authority of private letters, that the cinnamon plant had been introduced into Batavia, smuggled from Ceylon, by an agent in the service of the Dutch government: three thousand plants in good condition had arrived, besides a stock of seeds. This is not the first time, however, that the cinnamon plant has been introduced into Java, and that it thrives there, has been long established; but, as observed by Crawford, it must be reared as cheaply, and of as good quality as that of Ceylon, before it can enter into competition with the produce of that island.'

There is nothing to prevent this equal cheapness and goodness of quality: and, therefore, the Dutch will most probably benefit by the measure.

Among the recent proceedings of two Societies in Calcutta, the Medical and the Asiatic, we notice some communications more worthy of repetition here than those emanating from them generally are. The restrictions upon inquiry and publication in India being confined to political discussions only, and all persons being at liberty to pursue investigations which trench on no public functionaries' feelings or authority, the minds of men are directed of necessity into other channels; and these are, chiefly, editorial quarrels between the conductors of the several Indian journals, phrenological disputes, and wordy nothingness in every shape and form. Now and then, however, something useful appears, which, though not political, is worth repeating; and of this character are the extracts we are about to transcribe. The first is from the proceedings of a Medical and Physical Society, held at Calcutta in July last; among the communications read before which, and the discussions entered into, was the following:

'The description of the medical topography of Arracan, and the diseases that prevailed there during the campaign, by Mr. Bernard, was then made the subject of the evening's discussion.

'The town of Arracan, according to Mr. B., is, from its situation, peculiarly calculated to engender that condition of the surrounding atmosphere, which long experience has shown to be productive of febrile disease. It is distant from the sea about fifty miles, on the bank of a navigable river, from which branches intersect the town in all directions. The banks of the river are in general low: below the town they scarcely exceed the level of the water, and are covered with sedge, coarse grass, and a few bushes. The average rise of the tide, at the town, is about eight feet, but the spring tides rise higher, and consequently cover the ground on either side: between the town and the sea a number of small streams descend from the neighbouring hills to the river, the intervals between them are overrun with jungle, and the whole forms a dense and impassable *sunderbund*. Three ranges of hills are visible from the town, which bears to the first range the relation of the apex of a triangle to its base, but from the waving line of the hills, and the number of insulated elevations detached from the main range, the town appears as if embayed in a recess of the hills. The hills are covered with jungle, and in the hollows between them are a number of shallow pools, formed by the periodical rains. About a quarter of a mile from the N. W. angle of the fort of Arracan is a large lake, extending in an irregular course several miles amongst the hills: its average depth is about eight feet; the banks are low and marshy. Besides this, the water of the heavy rains collect in various situations round the town, forming numerous shallow pools and swamps. Although subject to the monsoons, the changes are not very distinctly marked, and from which-

ever quarter the wind may blow, it passes over an extensive surface of wet soil and vegetable decomposition. There is no general inundation as in Bengal, neither is there any season in which the ground is dry, the periodical rains and the streams from the hills always keeping it in that state of humid mud, which is most highly generative of miasmata. The elevated situations were not found more healthy than the low ground, but from obvious causes, being so situated as to be more immediately exposed to the influence of the morbidic vapours by their peculiar disposition, or their lying to leeward of unhealthy spots. Such was the case with the hills in the rear of the Bondyne Stockade, and scarcely any of the officers who were stationed there escaped. The stockade itself, which had been used as an hospital, was necessarily abandoned. This stockade was distant about a mile and a half from the centre of the fort of Arracan; it lay low, and the approach was by a circuitous route, in which the stream was crossed four times. The stockade was between the river and the hills, which extended nearly N. and S.; the river ran to the W.; to the S. W. and S. W. was an uncultivated plain, partly inundated by the tide, interspersed by shallow nullahs, and covered with jungle and coarse grass; over this plain the wind set, in the south-west monsoon, and the vapours borne with it were arrested by the hills to leeward. It need not be matter of surprise that such a situation should have proved sickly.

The fever of Arracan is considered by Mr. Bernard as not varying essentially from the common endemic of tropical countries; nor is it uncommon to meet with cases of similar severity in Bengal, or, more especially, to the westward, in Ramghur and Seragpoom. The great number of individuals exposed to the causes which induced the disease, rendered their effects in Arracan more remarkable and distressing. Between May and September, 227½ Europeans were admitted into hospital, of whom 260 died; and in three months, from July to September, the number of Native sick was 5795, and that of the deaths 778. The number of officers attacked locally, bore a full proportion to that of the men; and this circumstance afforded proof, if proof were necessary, that the mortality was ascribable to the effects of climate, and not to any unavoidable privations of food or accommodation. Mr. B. has appended to his paper a Meteorological Register of the weather from July to October. The highest range of the thermometer was, in October, 95° 5'; the lowest, in November, 71° 8'. A more characteristic peculiarity of the climate is the fall of rain, which in July and August alone exceeded 103 inches.*

The proceedings of the Asiatic Society record also an important measure, and one which does the Bengal Government great credit, namely, its resolution to transfer to that Society all the literary and scientific information which is officially transmitted to it. The *political*, it is their vocation to envelop in mystery, and we can hardly expect them ever to disclose this; though Lord Hastings thought so differently, that on his return from the campaign against the Pindarrees in 1818, the first step he took was to call together the public of Calcutta, and to lay before his countrymen and fellow-subjects an exposé of all his plans, and the motives for adopting them. This candour and confidence were both appreciated as they deserved, and he was crowned with the applause he so well merited at their hands. His successors are men of inferior intellect as well as narrower views, and we do not look for such exalted policy at their hands.

But, speaking of the proceedings of public societies, when shall we see in India so noble an example of courage and virtue as that

set by the 'frog-eating,' 'degenerate,' and 'tyrant-ridden' people of France,—as we have at different periods been taught to designate them? When will the Asiatic, or any other Society of Bengal, the Literary Society of Madras, or that of Bombay, call a meeting of their members, to petition their respective Governments against the invasion of their rights and liberties by new restrictions on the Press? The law recently proposed in France is not half so degrading as that existing in Bengal; yet, besides the Peers of the realm and the Chamber of Deputies,—the Royal Academy, and the whole people, except the priests and the priest-ridden, are up in arms against it. The 'curry-eating,' 'degenerate,' and 'despot-ridden' Englishmen of Bengal (for these are epithets as truly deserved by them as those applied to the French) heard and saw the infamous and enslaving regulation of 1823, for trampling the freedom of the Press under foot, passed without a public meeting, without an assembly of any learned society, without any formal and publicly avowed protest, indeed, except on the part of one Journal, which was soon after made the first victim of the law itself, and half a dozen high-minded Hindoos, with Ram Mohun Roy at their head, who were followed by not *one* Englishman (except the fee'd advocates of the Court, who, for an equal sum of money, would have pleaded on the other side) who ventured openly to set his name and seal to a protest against a law reducing him to the condition of a slave!

But let us at least avail ourselves of what this odious law does not prevent the publication of, namely, matters connected with literature and science, a liberty enjoyed by the most enslaved people that ever yet existed, and let us wait the progress of time and events for the rest.

A meeting of the Asiatic Society was held in Calcutta on the 5th of July; and after some proceedings in the election of members, and communication of papers, the report says:

'At this meeting, various valuable papers were laid on the table, consisting of reports presented to Government, which were transferred to the Society, in conformity to a resolution of Government to make over to the Asiatic Society for publication, all documents of a description calculated to illustrate the geography, statistics, or history of India, and which are wholly of a literary or scientific character. The papers presented on this occasion were the following:

'A notice of the occurrence of Gypsum in the *Indo Gangetic* Tract of the Himalaya Mountains, by Captain Herbert. This gypsum, of which several specimens were submitted, is found in the clay-slate formation which constitutes the northern boundary of the valleys that stretch along the foot of the great mountain tract, and which, as it possesses none of the characters of a secondary rock, must be regarded either as transition or primary. The position of this gypsum seems, therefore, decisive of its claim to be regarded as a primitive rock, as one description of it is entitled by Werner, although doubted or denied by some of the principal writers of his school. The most extensive deposit of the Himalayan gypsum occurs in the bed of a stream, which leaves the hills immediately below the village of Nagul in the Dehra

Doon. It is of the variety called foliated granular, of a snow white colour, of a lustre a little superior to that of white marble, and scarcely, if at all, translucent. The specific gravity is 2.24. A second deposit is about two miles up the bed of another stream, which falls into the valley; and a third is on the ascent from the village of Ruppur, immediately below the hamlet of Jorce Pance. In all these localities, the rock in which it is imbedded develops, on fracture, a strong odour of sulphureted hydrogen.

A second paper, by Captain Herbert, contains notices of various metallic products of the Himalaya range: amongst these, is magnetic iron sand, disseminated very abundantly in mica slate. The grains are highly sensible to the magnet, and are readily separated, after pounding, from the matrix: their specific gravity is 4.81. This ore is smelted, and yields iron of a very superior quality. In the districts of Borela, Myar, and Bhutnor, are lead mines, which have been long worked by the Natives. The ore is in all three places a steel grey granular galena, having a specific gravity of 7.2. It is said that latterly these mines have been less productive than they formerly were, but this is possibly owing to the superficialities of the veins being exhausted, and the absence of adequate means to penetrate further into the rock.

An extract from the journal of Lieutenant Trent, in his march across the Youmah Mountains, which separate Ava from Aracan, describing the Kicau or Kiayn tribes by whom the mountains are inhabited. These people upon the skirts of the mountains are subject to Burmah, but in the less accessible districts have preserved their independence; according to their own traditions they are the aboriginal inhabitants of the Burmah country, and were expelled by the present race, who were of a Tartar stock. They differ very widely in their habits and appearance from the Burmese, being inferior in form and feature to their neighbours. They have no chief, but in disputes amongst themselves appeal to a priest, who is reputed to be a descendant from the Supreme Pontiff; he is termed *Passac*, and acts as prophet, physician, and legislator. They have no written records, and a very rude form of faith; their chief homage being addressed to a particular tree, under which, at stated periods, they assemble, and sacrifice cattle, on whom they subsequently feast. Another object of adoration is the Arolite, for which, after a thunder storm, they make diligent search, and which, when found, they deliver to the priest, by whom it is preserved as an infallible remedy for every disease. Amongst their peculiar notions is that of estimating merit by animal appetite, and he is the man of most virtue who is the amplest feeder, and drinks to most excess. As connected with the ancient history of these regions, the mountain tribes are objects of considerable interest.

A paper on the geography and population of Asam, by Captain Neuville, brings the progress of inquiry in that direction up to a certain point, and comprehends valuable accessions to our knowledge of the country. The course of the Brahmaputra is described to a considerable distance, east from Seddeca. It has not yet been followed to its source. The greater size of the northern branch, the Dibong, and many peculiar circumstances relating to its course and passage, give this stream the strongest interest as connecting it with the northern origin of the Brahmaputra. The proper branch of the latter, or Lohit, is said to arise within the hills from the Brama Kund, and if this be correct, it cannot have any relation to the Sanpo, or river of Tibet; but the Dibong is said to come from a large river that runs at the back of the hills, called the Sri Lohit, in which, therefore, we have an approximation to the site of the Sanpo of the Jesuits' charts. This river is said to rise from an upper and inaccessible Brahma Kund. A circumstance that confirms its connexion with the Dibong is the sudden enlargement of the latter, about half a century ago, when the whole country was inundated, and vast numbers of people and cattle swept away: the flood continued for about fifteen days, during which time various agricultural and household implements, elephant trappings, and numerous articles belonging to a race far advanced in civilization, were washed down: these were referred to the Kooltahs, or Kulitas, a power-

ful and independent nation, said to exist between the mountains bordering Assam and the districts of the Grand Lama.

‘ The northern and eastern districts of Assam have been for some years past wrested from the original possessors by fierce and barbarous tribes, amongst whom the Sinphos, who occupy the eastern tracts, are the most conspicuous: according to their own traditions they descended from heaven; but the plain truth seems to be, that about four or five centuries ago, they migrated from a mountainous region on the borders of China, gradually advanced to the mountains skirting Assam, and within the last forty years established themselves on the low lands, which they at present occupy. They have little system of law or government, except being divided into tribes, under different petty chiefs or Gaums, equal in rank and authority; their religion is that of Buddha, but intermixed with a variety of superstitious practices, the reliques, probably, of their original creed. They offer a sort of worship to the spirits of those who die in battle, and to the elements and clouds. The Sinphos confine themselves chiefly to the practice of arms, and leave domestic occupations, and the cultivation of the soil, to their Assamese slaves, of whom they annually captured great numbers, to the gradual depopulation of the country. It is no unimportant consequence of British supremacy in Assam, that the Natives are henceforth protected against all such aggression.’

MADRAS.

We have but few opportunities of learning what is passing at this dull and formal Presidency; where all things seem to be measured by a standard of state etiquette, from which no one ever ventures to depart. The last announcement we saw made was that of the departure of the Governor on a tour through the provinces, under a salute of 19 guns from the battery, and 19 from the palace at Chepauk. The next intelligence we receive will probably inform us of the Governor's return to Madras, under a salute of the same number of guns from the same battery and palace: and thus the affair will end. Since we are unable to gather, from the public papers of this presidency, so little beyond the most ordinary events, and free speculations on European politics, which are indulged without restraint, (because they touch no man's feelings or authority there,) and often conducted with greater talent than at either of the other presidencies of India,—we take the opportunity of stating here, that we shall be greatly obliged to any gentleman who will occasionally devote a leisure hour to the task of informing, not us merely, but his fellow-countrymen and friends, through the medium of our pages, what is really transpiring at Madras and the districts subject to its jurisdiction. We have had the pleasure to know there a great number of young Englishmen of considerable talent, and, when we were in intercourse with them, of great enthusiasm and public spirit too. If this should reach the eyes of any such, and the climate and policy of the East has not entirely extinguished the last spark of patriotism and public virtue,—and some such, at least, there surely must be,—we trust it will induce them to think that a man may owe something to his country, and to mankind, as well as to the authorities under whom he serves, and that what we do for others has quite as large

an influence on our future character and happiness as what we do for ourselves.

As connected with the interests of Madras, we may mention that Mr. Lushington, of the Treasury,—formerly, we believe, a member of the Civil Service at that presidency,—is appointed its Governor, to succeed Sir Thomas Munro, whose health has long led him to desire to be relieved. Mr. Lushington's appointment was approved by the Court of Directors, with two dissentient voices only out of twenty-four: one of them, it is said, an old Bengal Civilian, who is shortly about to retire from the Direction altogether, and another, a member of a powerful family, as it regards India House votes and interest, and, moreover, one of the generally rich and flourishing class of brewers, though not the most successful in introducing his beer into India. Their opposition, however, is believed to be conscientious, and untainted by intrigue or personal favouritism, which is rare praise indeed, considering the general scope and bent of votes in such a quarter. Mr. Lushington does not leave England, it is said, till the summer.

The Commissioners appointed to inquire into, and to adjudicate upon, the claims of the creditors of the late Nabobs of the Carnatic, have presented their twenty-third report to Parliament. From this document, it appears that the

Aggregate of absolute adjudications in favour of claimants, amounts to.....	£2,528,065	18	0½
Aggregate of provisional adjudications in favour of claimants,	486	11	9
Making a total of.....	2,528,552	9	0½
Aggregate of absolute adjudications against parties, . .	27,342,706	5	1½
Estimated balance of the amount of claims remaining to be adjudicated.....	469,877	8	1½
Making a gross total of claims, allowed, disallowed, and to be adjudicated, of.....	30,341,136	3	1

When this Commission is likely to terminate its labours, is not so easily determined. It seems certain that it will last the life of the Company itself; and such worthy associates will very appropriately, and speedily too, we hope, expire together.

BOMBAY.

The latest accounts from Bombay extend to the 7th of August. The most important intelligence from this presidency is that which announces the rejection of the Bengal Press restrictions by the Supreme Court of Bombay. We have made this the subject of a separate article, as its importance deserved; but we may state in this place the leading facts of the case, which are these:—On the issue of the late Appeal made by Mr. Buckingham to the King in Council, by which that august body decided that a law for

enslaving the Press of India was not repugnant to the law of England,—the East India Directors, in order to impose these desirable fetters on the rest of their fellow-countrymen in the East, sent out peremptory orders to Madras and Bombay, commanding the Governors to have the Bengal regulation adopted at each of their presidencies, by passing it through the Supreme Courts of each for registration, without which it cannot attain the force of law. What has been the fate of this measure at Madras, we know not: but at Bombay, that excellent and upright Judge, Sir Edward West, supported by his public-spirited colleague, Sir Charles Chambers, refused to register the regulation required,—declaring it, as every man who has the least knowledge of English history must know it is,—repugnant both to the letter and spirit of British law. We can conceive the mortification of the Bombay Government at this repulse; and can imagine also the chagrin of the Court of Directors at the ill success of their experiment; but though we dare hardly say what *will* be, we may ask what *ought* to be, the shame of the Privy-Council, on finding that they have pledged the King's name to pronounce and support, as good British law, what the most unlearned Englishman need only hear to know to be as contrary to the spirit of the British constitution as slavery is from freedom; and what English Judges, even in the remotest dependencies of the empire, have pronounced to be utterly repugnant to every principle of British law? We shall see whether the ensuing session of the new Parliament will put them on their trial and defence; and, if so, what they will have to say for having thus stained the King's name, by associating it with the confirmation of unlawfully arrogated power, in violation of the rights of his subjects, and in opposition to their duties as guardians of the great interests of the state.

The general news from Bombay is unimportant. At the date of the last advices the presidency was tranquil, and in the enjoyment of unembittered social intercourse, a pleasure which had for a long period been unknown among them. It is remarkable enough that this period of tranquillity and content should happen during the *absence* of Mr. Elphinstone, Mr. Warden, and Sir Ralph Rice, the two former being on an excursion above the ghauts for health or pleasure, and the latter having taken a trip for six months, but whether to recruit his spirits, or to settle his opinions, is not clearly known. This doubt arises from the fact, that after he had passed his judgment from the bench respecting the press regulation, and copies of the judgment had been left with the Clerk of the Crown, he wished to withdraw his own, but it was too late. It is now recorded in these pages, and will there remain as a proof of Sir Ralph's sound knowledge of law, on which he may justly pride himself, but, at the same time, as a proof of his great deference to authority, when, in the same breath that he pronounces a regulation utterly repugnant to English law, and destructive of the liber-

ties of the subject, he nevertheless recommends its being registered so as to make it law, and call it into immediate operation against his fellow-subjects! We honour him for his repentance, (if it be true that it was this which led to his wish to withdraw his judgment from the record;) but he owes it to his own reputation to show whether he repents him of his *law* or of his *serrility*: for this will make all the difference in the estimate which men will form of his wavering: we hope it is the latter, and shall rejoice to be made the medium of confirming others in this belief.

The acting Governor, during the absence of these three personages named, or, at least, the individual in charge, and under whom this happy interregnum of peace has been enjoyed, is Mr. Goodwin, who differs much, it is said, in character from his absent colleagues. During his 'lieutenancy,' Sir Hudson Lowe arrived at Bombay, on his way to Ceylon, where he was appointed; and the eager curiosity of the community to see this 'lion of other days,' had an opportunity of being gratified, at an entertainment given by Mr. Goodwin, at which Sir Hudson was present, and all the world collected to see him. From some preconceived notions of his severity, people seemed to expect a ferocious looking individual, and were exceedingly, though, we suppose, pleasingly disappointed, to find a man all mildness and benevolence, of gentlemanly manners, and with nothing peculiar in his whole behaviour, except some slight indications of hastiness, or quickness of feeling and disposition.

As closely connected with the future comfort, and we would hope also, with the real interests, of the community at Bombay, we have to communicate the fact of Sir John Malcolm's appointment to be Governor of that presidency. Mr. Elphinstone, it appears, sent home a representation, desiring to be relieved, as early as practicable, naming the month of November next, as the period at which he wished to leave India, on account of his health. Sir John Malcolm was immediately proposed, as his successor, was approved by the King's Government, and his appointment passed through the Court of Directors, without *one* dissentient voice. He is to leave England immediately, it is said, and to go first to Bengal, for the purpose of conferring with the Supreme Government there. Some notion is indeed entertained of the establishment, through his means, of a separate Government for Central India, which has been always a favourite project of Sir John's, and to which there appears to be no reasonable objection; but on this subject, matters are not yet, it is said, sufficiently matured to pronounce a definite opinion. We have spoken so often, and so frankly, of Sir John Malcolm's opinions, (though these have been confined principally to one leading topic,) that it is unnecessary for us to say much here. His knowledge of India, and Indian history, is surpassed, we suppose, by no man; his feeling of kindness

towards the Natives is, we believe, genuine and extensive ; and his popularity in India generally is very high. But his faults are, a deficiency in the knowledge of those philosophical principles of enlarged policy, which can alone teach men how to *apply* their attainments. Brilliant talents may make men *clever*, and great practical experience may make them abound in *knowledge* ; but it is philosophy and sound principles that can alone make men *wise*, whether as legislators and statesmen, or as moralists and actors in the great drama of human life. Sir John has strong claims to both the former distinctions ; but the snows of age will, we fear, whiten his brows before he attains the honours of the latter.

It is his deficiency in this last respect—his want of steady and rooted principles of action, and of that straight forward moral firmness, which is ready at all times, and at all risks, to maintain what is honestly believed to be true—and his pursuing the temporizing policy, which is always sure to be substituted where these are wanting—that has led him so often into the maze of contradiction and absurdity, which has characterized his speeches and writings in England. His acts in India will, we hope and believe, be less marked by folly and inconsistency ; and if he will only dare to *do*, as well as his heart and head may dictate, without reference to the applause of Courts of Directors or Boards of Control, aye, or even of the courtly orators of public dinners, where he will occasionally meet his own dependents, he will effect more good than any man can do who acts from temporary motives, rather than on those unassailable principles which belong to philosophy and truth.

We regret to hear that Lady Malcolm, one of the most dignified, intelligent, and amiable of women, according to universal testimony, does not accompany her husband to India,—as a personage of her rank and influence is most valuable in such a community as that of Bombay, where clashing factions and contending interests are often more effectually subdued by the quiet, unostentatious, and softening influence of female excellence and example, than by the greatest efforts of mere power. During the late turbulent reign in Bombay, which the presence of Sir John will effect one great and certain good in breaking up, and uniting the various parties into which society is now split, the advantage of a Lady Governess has not been enjoyed : we shall regret if this be the case under the ensuing rule also.

In a comparison between the two men, Mr. Elphinstone and Sir John Malcolm, there can be no doubt but that the former has more talent and more knowledge than the latter. Mr. Elphinstone's abilities and attainments are of the very highest order ; but he is himself a very striking instance of how little these contribute, unaccompanied by wisdom, to the formation of a great man. He too,—acted upon by surrounding circumstances, rather than referring to permanent principles, and consulting the convenience of those

around him, rather than following the dictates of his own judgment alone,—has committed the same sort of inconsistencies as Sir John Malcolm, which we have from time to time pointed out; and both have met their reward, in that expression of public opinion, from which the highest are not exempt.

JAVA.

The latest intelligence from Java reaches to the 17th of September. The Dutch authorities had been roused by the alarming state of the island, to the most energetic measures; in addition to the 750 soldiers lately landed from Europe, all the disposable forces from the coast and the adjacent islands had been ordered to Batavia, to make one grand effort against the rebel force. The troops from Padang had passed Anjer, and those from Palembang had been spoken with, one day's sail from Batavia. The authorities also appear to combine apparent moderation with their military movements. The Sultan of Djocjocarta, the good friend and ally of England, who has been a prisoner in the Moluccas since the evacuation of the island by the English forces, has been shipped to Batavia, and, under an escort of military, passed Solo on his way to Djocjocarta, to be crowned. The Dutch expect great effects from this apparent clemency, as the son of the Sultan is the leader, and one of the most active of the rebels in Java.

Two seventy-four gun ships, about to be dispatched from Holland, filled with troops for the relief of Batavia, have been unfortunately wrecked in the German Ocean, and great numbers of the crews and troops in each perished.

PERSIA.

The English Envoy for the East India Company, Colonel Macdonald Kinneir, had reached Persia before the date of the last advices from thence, and had, it is said, been well received, so that hopes were entertained of his restoring the good understanding that had been interrupted between the Persians and the English. The '*Times*,' in one of its late numbers, makes the following remarks:

'Among the political rumours current yesterday, was one which attracted some attention, though it bears no immediate relation to the affairs of the peninsula, in which the public are almost wholly absorbed. We refer to the supposed refusal by the Court of St. Petersburg, of the offer of mediation made by England, between Russia and Persia. It is said that this refusal is positive, and that it has arisen from the discovery that a secret treaty was in existence, by which England was pledged to afford assistance to Persia, in the event of a foreign invasion. This treaty, it is affirmed, has never been submitted to Parliament, nor in any manner obtained publicity, and it is said to have originated in the apprehensions entertained during the late war, that Buonaparte, in conjunction with Russia, had planned an attack on Persia with an ultimate view to our possessions in the East Indies. This rumour is too well supported to be altogether without foundation, but, according to the best information we can obtain, the period of that treaty has expired, and it cannot consequently lead to any political discussions.'

Some other morning paper, which we have not seen, but which we suppose to be the '*New Times*,' has endeavoured to prove that this was likely to lead to the necessity of our supporting the Persians against their powerful enemies; on which the '*Globe*' has the following remarks:—

'A morning paper, which supports the Ministers, and professes to be in their confidence, put forth, a few days ago, an article, to prove that what it called *Casus Fœderis* had arisen in Persia, as well as in Portugal, and that we were bound to support the former country against the Russians. Why has the journal in question not furnished us with a continuation of its speculations on that question? We believe, without pretending to any peculiar information on the subject, that the journal we have referred to is mistaken, both in its facts and in the opinions which it attributes to the Ministers. We may speak confidently, from the probability of the case, that no treaty can exist to pledge this country to support Persia in a war gratuitously entered upon by its government without our concurrence, and in opposition to the efforts of our Envoy, to whose friendly conduct it will be recollected the Russian Ambassador has borne ample testimony.'

CAPE OF GOOD HOPE.

We continue to view, with pleasure, the advances made at this colony, in public spirit, intelligence, and independence, in spite of the many obstacles which its system of government presents to their progress. And we believe sincerely that these advances are wholly to be ascribed to the influence of public discussion, through the excellent and fearless Journal re-established there by Mr. Greig, and conducted, we believe, by Mr. Fairburn. There is certainly no paper in all British India, with which we are acquainted, that can be compared, either for spirit, talent, or utility, to this single journal, whose circulation is necessarily much more limited than any Indian paper, by the infinitely smaller community which exists at the Cape; where there is but just room for two or three weekly papers at most, (Mr. Greig's being but recently issued twice in the week,) while in India, there are at least a dozen; two of them daily, two or three twice or thrice a-week, and the rest weekly. The difference is not attributable to want of talent: because India contains as great a number of highly talented Englishmen (in proportion to the number settled in that country) as is to be found in any nation upon earth. The deficiency, on their part, is in moral courage, in public spirit, and in their not doing what they might even safely dare. We had at first attributed the great superiority of the Cape Journal* to those of India, to the fact of the former being free from all apprehension of immediate suppression, to which the latter are subject, (though even this only

* '*The South African Commercial Advertiser*.' What an unpretending name for a journal that is really bold; fearless, and uncompromising, compared with '*The British Lion*,' proposed for the successor of the '*Calcutta Journal*,' in Bengal, at a period when the bleating of a lamb would scarcely be permitted to be heard, if it bleated freely!

applies to the papers in Bengal, where alone the power of doing this exists;) but we learn from the Cape Journal itself, that *it* exists only by a license from the Governor in Council at that colony, which may be withdrawn at his or their pleasure; and that, in this respect, it is therefore as much at the mercy or caprice of despotism as any paper in Calcutta, and infinitely more so than any journal in any other part of India. This only makes the conduct of its editor and proprietor appear the more noble and disinterested; and, as contrasted with that of the conductors of the public prints in India, it is really entitled to admiration. We reprint, from the Number of that journal for September 2, 1826, one of those brought us by the last arrivals its observations on reviewing the progress of the first year of its existence: and we may add our conscientious belief, from having closely watched its columns, that it assumes to itself no merit which it does not justly and abundantly deserve. There is one passage in the second paragraph of the extract, which is marked in capitals, and which we leave the people of India to judge whether it is most applicable to themselves, or to the inhabitants of the Cape. They will form their own judgment, and act accordingly. The whole article is as follows:—

‘As one year has now elapsed since the re-establishment of this Paper, under an arrangement with Earl Bathurst, which left considerable latitude to discussion and free inquiry on colonial subjects, it may not be deemed improper to offer a few observations to our readers, and particularly to the great body of new or recent subscribers, who have not had an opportunity of accompanying us from the commencement, on the more important points to which we have endeavoured to direct the attention of the colonists. The public are aware that the Press is subject to the direct interference of the Governor and Council, who may, at any moment, when, in their opinion, the *peace and safety* of the colony are endangered, either by our own arguments or by extracts from Blackstone, abate the evil at once, by *withdrawing their license*. Our only protection, therefore, has been the approbation of our fellow-subjects, and a fear, on the part of our rulers, to incur the hatred and derision of the world by suppressing, on frivolous grounds, an honest and popular Journal. To this uneasy and dangerous state of the Press, our readers will be kind enough to ascribe the extreme reserve and caution with which we have invariably handled political topics, and especially such as seemed to involve the personal characters and interests of illustrious people. The greatest reverence, says the Roman, is due to children; to idiots the Turks pay the homage of mingled fear and admiration; and we have always, at least for the last twelve months, cherished the most profound devotion towards a set of men who seem to combine the qualities of both. We have seldom exposed their petulance or blundering, supposing our duty to the colony sufficiently discharged, when oppression, speculation, extravagance, and favouritism, were simply charged and proved against them. This, to be sure, was going but a short way, yet our correspondents from every quarter assure us, that a great improvement has been the consequence, particularly in the conduct of the country functionaries, and in some of the courts of law. ‘A great fear of doing evil,’ says one of them, ‘begins to manifest itself.’ And another, speaking of taxes and the currency, observes, ‘Had a Newspaper existed here twelve years ago, I would this day have been a rich man.’ If, fettered as we are, eyed with jealousy, and exposed to the most malevolent mis-constructions, we have been able to accomplish so much good, what might not be expected from a Press entirely free, acting in concert with an enlightened community and a liberal Government?

* The chief points on which we have ventured to enlarge, during the past year, were, the nature and acts of the Government—the state of the currency, the revenue, and expenditure—the restrictions on trade—the improvement of Cape wines,—and lately, the projected amelioration of the condition of the slaves. Discussion has been awakened from one end of the colony to the other on these important heads, and we have, by copious extracts from authors of high reputation and authority, endeavoured to guide the minds of our readers to just views and conclusions upon them. Nor have we been altogether unsuccessful, if our correspondents are well-informed, and capable of judging. It is now universally admitted that an arbitrary system, influenced by the temper and private convictions of an individual, is bad in theory and abominable in practice; and that, unless better maxims be speedily acted on, the ruin of the colony is inevitable. All who have written on the Cape from Stavroinus down to the Civil Servant, have pressed this truth on the consideration of the Supreme Government; BUT THE INHABITANTS HAVE BEEN SO BACKWARD IN SECONDING SUCH EFFORTS MADE IN THEIR BEHALF, BY ANY REPRESENTATIONS OF THEIR OWN, that these generous suggestions have been, till very recently, neglected or despised. Those at the head of the colony felt no wish to see curtailed the absurd excess of discretionary power with which their office, and the strange state of the laws, invested them. The other classes, being entirely stripped of political importance, looked upon inquiry merely as a source of discontent, since they could not remedy what they saw to be misis. In this respect, then, a great and salutary revolution has taken place, and, in conjunction with the Commissioners' Report, and the representations of the Press, any expression of public sentiment will secure attention.

* With regard to the currency, we have endeavoured to show that the permanent depreciation was caused by over-issue, and not by the unfavourable balance of trade—as some, in their anxiety to shield the Government and to degrade the public, had laboured to prove. But while we pointed out the enormous loss occasioned by the gradual fall of this insidious paper-money, we were compelled to combat the ruinous scheme of attempting to raise it suddenly by the force of a proclamation, or even by an Act of Parliament. Such interference on the part of governments are generally, if not always, productive of unmitigated evil. And although we consider redress for past losses imperatively called for, we think it equally clear, that the fixing of the dollar at the average of the last three years, was the best *first* step that remained open. What the next steps will be we cannot pretend to say, as the debates in Parliament have thrown any thing rather than light upon the subject. The money itself meets with merited reprobation,—‘*but no blame is meant to be thrown on the Colonial Government.*’ This carries the maxim of ‘*measures and not men*’ to the highest perfection of which it is susceptible. If nobody is to be blamed, how does it happen that so much mischief has been done?

* In speaking of the revenue and expenditure, we have pointed out great irregularity, and much wanton profusion. The public seem to be satisfied that one million of rix-dollars, instead of two, might support in due splendour a government perfectly sufficient for the demands of this colony. Public establishments should bear some proportion to the wealth of the inhabitants. The governors and secretaries, and clerks and great men, should not be raised too high above the heads of their subjects: the one are rendered giddy with looking down, and the other with looking up. Whose income approaches to any thing like ten thousand pounds a-year? Five thousand is enough for the Governor of the Cape, in its present circumstances, and two thousand for the Colonial Secretary. We hope the Commissioners will be found to have dwelt at length on this most important branch of their Inquiry, and that a strictly economical scale of salaries has been recommended. With regard to ‘unfixed contingencies,’ we believe they have begun to decrease.

* On commercial subjects we have been occasionally favoured with valuable letters and statements, from the publication of which some advantage is said to have been gained by the merchants and the colony; but the liberal views of the Home Government render much discussion on this subject less necessary. Free trade, and the abolition of monopolies, seem to be now the order

of the day. This colony will in a few years reap a share of the benefits resulting from the enlightened system adopted by Great Britain and America. The abolition of the cumbrous establishments rendered necessary by the excluding articles of the Navigation Act, and Orders in Council, will be felt here as an immediate gain. We are informed that considerable improvement in the Custom-house, &c. has taken place since we directed public attention to that department.

‘The exports of the colony have not been improving. Cape wines seem to be a drug in every market,—God knows why. The wines of this colony could be made to compete with perhaps any in the world, as has been proved by repeated experiments. At first sight, it might appear absurd to charge the inferior quality of the wines exported to the nature of the Government; yet, when we reflect on the manner in which Government has pressed on every species of industry, we will feel less unwilling to admit the inference. Excessive taxation, the destruction of capital, and the reduction of profits, have ruined our wines. Under a milder system, there can be no doubt but that they will recover their character.—What is the Wine Committee about? Are they a second edition of the Council?’

‘On the slave question we entered with reluctance, and have laid our columns open to every dispassionate writer who wished to express his opinions, or to direct the public mind to the real merits of the case. We have avoided all declamation, and have made no appeal to the feelings of any party. The committee on this subject, we are happy to learn, are proceeding in the same calm and serious spirit; nor can any doubt be entertained, that the interests of both master and slave will be properly considered in the Memorial they have been appointed to draw up.

‘How far the improvements which every one admits to have taken place during the last two years are to be ascribed to this journal, and to the excitement produced by free discussion, is a question to be decided by the public. Their opinion seems to be at present in our favour; for although we write under perpetual apprehension of violent and arbitrary interference, our views have been gradually adopted and confirmed by the most enlightened and independent classes of the community. On them we rely for co-operation in the good cause, and pledge ourselves—even at the risk of temporary suspension—to speak plainly and honestly on every subject interesting to our fellow-colonists. The Liberty of the Press will, we hope, reach us with the independent, Bench of Judges, and other establishments for the protection of person and property, at the Cape.’

We trust it may. Independent Judges effect great good, wherever they are to be found: witness the late proceedings in the Supreme Court of Bombay, under a Chief Justice who really deserves that proud and venerable name. But, in Bengal, they have had a bench of Judges longer than in any other part of India, (one of whom, Sir William Jones, was the most ardent friend of liberty,) and yet so little has *their* independence achieved, that the liberty of the press is there more insecure, and on a more capricious and arbitrary footing than in any other part of India; for there alone can any publication be legally suppressed at the mere will and pleasure of the ruler for the time being. How long will they tamely submit, without even a petition to Parliament, a memorial to the Directors, or a public protest against such a degradation, signed by every man who prides himself on his birth-rights as an Englishman, to be thus politically degraded below their fellow-countrymen in every other part of the British empire? and when shall we be able to characterize them, in the language of the poet. as men

‘Who know their rights; and, knowing, dare maintain’?

TREATY WITH THE KING OF AVA.

TREATY of Peace between the Honourable East India Company on the one part, and his Majesty the King of Ava on the other, settled by Major-General Sir Archibald Campbell, K. C. B. and K. C. T. S., commanding the expedition, and Senior Commissioner in Pegu and Ava, Thomas Campbell Robertson, Esq., Civil Commissioner in Pegu and Ava, and Henry Duple Chads, Esq., Captain, commanding his Britannic Majesty's and the Honourable Company's Naval Force on the Irrawaddy River, on the part of the Honourable Company; and by Mengyee-Maha-Men-Klah Kyan-Ten Woongyee, Lord of Lay-Kaeng, and Mengyee Mahah-Men-Klah-Shee-hah-the-Ahren-Woon, Lord of the Revenue, on the part of the King of Ava; who have each communicated to the other their full powers; agreed to, and executed at Yandaboo, in the kingdom of Ava, on this 24th day of February, in the year of our Lord, 1826, corresponding with the fourth year of the decrease of the Moon Tuboung, in the year 1187, Mandina Aera:

Article I.—There shall be perpetual peace and friendship between the Honourable Company, on the one part, and his Majesty the King of Ava on the other.

II.—His Majesty the King of Ava renounces all claims upon, and will abstain from all future interference with, the principality of Assam and its dependencies, and also with the contiguous petty states of Cachar and Jyntia. With regard to Munnipore, it is stipulated, that, should Gumbheer Singh desire to return to that country, he shall be recognized by the King of Ava as Rajah thereof.

III.—To prevent all future disputes respecting the boundary line between the two great nations, the British Government will retain the conquered provinces of Arracan, including the four divisions of Arracan, Ramree, Chedubah, and Sandowey, and his Majesty the King of Ava cedes all right thereto. The Annonpoteetonmien or Arracan Mountains (known in Arracan by the name of the Yeornahourg or Pokhengloun Range) will henceforth form the boundary between the two great nations on that side. Any doubts regarding the said line of demarcation will be settled by Commissioners appointed by the respective Governments for that purpose, such Commissioners from both Powers to be of suitable and corresponding rank.

IV.—His Majesty the King of Ava cedes to the British Government the conquered provinces of Yeh, Tavoy, Mergui, and Tenasserim, with the islands and dependencies thereunto appertaining, taking the Saluen River as the line of demarcation on that frontier. Any doubts regarding their boundaries will be settled as specified in the concluding part of Article III.

V.—In proof of the sincere disposition of the Burmese Government to maintain the relations of peace and amity between the nations, and as part indemnification to the British Government for the expenses of the war, his Majesty the King of Ava agrees to pay the sum of one crore of rupees.

VI.—No person whatever, whether native or foreign, is hereafter to be molested, by either party, on account of the part which he may have taken, or have been compelled to take, in the present war.

VII.—In order to cultivate and improve the relations of amity and peace hereby established between the two Governments, it is agreed that accredited Ministers, retaining an escort or safeguard of fifty men, from each, shall reside at the Durbar of the other, who shall be permitted to purchase, or to build a suitable place of residence of permanent materials; and a commercial treaty, upon principles of reciprocal advantage, will be entered into by the high contracting powers.

VIII.—All public and private debts contracted by either Government, or by the subjects of either Government, with the other, previous to the war,

to be recognised and liquidated upon the same principles of honour and good faith as if hostilities had not taken place between the two nations ; and no advantage shall be taken by either party of the period that may have elapsed since the debts were incurred, or in consequence of the war ; and, according to the universal law of nations, it is further stipulated, that the property of all British subjects who may die in the dominions of his Majesty the King of Ava, shall, in the absence of legal heirs, be placed in the hands of the British Resident or Consul in the said dominions, who will dispose of the same according to the tenor of the British law. In like manner, the property of the Burmese subjects, dying under the same circumstances in any part of the British dominions, shall be made over to the Minister or other authority delegated by his Burmese Majesty to the Supreme Government of India.

IX.—The King of Ava will abolish all exactions upon British ships or vessels in Burman ports that are not required from Burman ships or vessels in British ports ; nor shall ships or vessels, the property of British subjects, whether European or Indian, entering the Rangoon River or other Burman ports, be required to land their guns or unship their rudders, or to do any other act not required of Burmese ships or vessels in British ports.

X.—The good and faithful ally of the British Government, his Majesty the King of Siam, having taken a part in the present war, will, to the fullest extent, as far as regards his Majesty and his subjects, be included in the above treaty.

XI.—This treaty to be ratified by the Burmese authorities competent in the like cases, and the ratification to be accompanied by all British, whether European or Native (American) and other prisoners, who will be delivered over to the British Commissioners. The British Commissioners, on their part, engaging that the said treaty shall be ratified by the Right Honourable the Governor-General in Council, and the ratification shall be delivered to his Majesty the King of Ava in four months, or sooner if possible, and all the Burmese prisoners shall, in like manner, be delivered over to their own Government as soon as they arrive from Bengal.

LARGEEN MEONJA	(L. S.)	A. CAMPBELL, Major-General,
WOONGHEE.		and Senior Commissioner.
(Seal of the Lotoo.)	(L. S.)	T. C. ROBERTSON, Civil Com-
		missioner.
SHWAGUM WOON	(L. S.)	H. D. CHADS, Captain, Royal
ATAWOON.		Navy.

ADDITIONAL ARTICLE.

The British Commissioners being most anxiously desirous to manifest the sincerity of their wish for peace, and to make the immediate execution of the fifth article of this treaty as little irksome or inconvenient as possible to his Majesty the King of Ava, consent to the following arrangements, with respect to the division of the sum total, as specified in the article before referred to, into instalments, viz.: upon the payment of twenty-five lacs of rupees, or one-fourth of the sum total, (the other articles of the treaty being executed,) the army will retire to Rangoon ; upon the future payment of a similar sum at that place, within one hundred days from this date, with the proviso as above, the army will evacuate the dominions of his Majesty the King of Ava, with the least possible delay ; leaving the remaining moiety of the sum total to be paid by equal annual instalments in two years, from this 24th day of February 1826, A.D., through the Consul, or Resident in Ava or Pegu, on the part of the Honourable the East India Company.

LARGEEN MEONJA	(L. S.)	A. CAMPBELL, Major-General,
WOONGHEE.		and Senior Commissioner.
(Seal of the Lotoo.)	(L. S.)	T. C. ROBERTSON, Civil Com-
		missioner.
SHWAGUM WOON	(L. S.)	H. D. CHADS, Captain Royal
ATAWOON.		Navy.

DEBATE AT THE EAST INDIA HOUSE.

A QUARTERLY GENERAL COURT of Proprietors of East India Stock was held on Wednesday, December 22d, for the purpose of declaring a dividend for the half-year commencing on the 5th of July last, and ending on the 5th of January next.

The CHAIRMAN laid before the Court an account of the expense incurred in supporting the corps of East India Volunteers during the last year, and also an estimate of the expense for the ensuing year. The expense for the last year was, 430*l.* 10*s.* 1*d.*; and the estimated expense for the ensuing year, 394*l.*

Mr. HUME inquired, what was the number of men of which the corps consisted?

The CHAIRMAN.—I believe 800 men are embodied in the corps.

Mr. HUME.—Pray, Sir, what does the expense arise from? Is it for clothing, for arms, and for pay?

The CHAIRMAN.—The accounts consist of a variety of items—pay, clothing, arms, and ammunition, and the necessary expense attending the instruction of the men in their military exercises.

DIVIDEND.

The CHAIRMAN then stated, that this Court was assembled to consider of a dividend on the Company's capital stock for the half year commencing on the 5th of July last, and ending on the 5th of January next. The Court of Directors had come to a resolution, declaring that 5½ per cent. should be the dividend for the before-mentioned period; and the Chairman proposed that the Court should coincide with the resolution of the Court of Directors.

The Resolution was unanimously agreed to. (1)

(1) This solemn farce of declaring a dividend on the capital stock of the Company, as it is called, should be exposed as often as it is enacted. Any uninformed reader would imagine, from seeing this report, unaccompanied by any explanation, that the Directors had gone, as any other merchants or proprietors of a large concern would do, into a careful investigation of their balance of profit and loss, and found that they could, with safety, make a dividend, out of the real surplus in their Treasury, of 5½ per cent. for the past half-year, or at the rate of 10½ per cent. per annum; but no such thing ever takes place. Every purchaser of India Stock pays, as the market-price may happen to be, from 200*l.* to 300*l.* sterling for each 100*l.* of such stock, the price depending upon the rate of interest yielded by other public securities: as, for instance, if 100*l.* in Consols, yielding 3 per cent. interest, could be had for 50*l.* sterling, then 100*l.* in India Stock, yielding 10½ per cent. interest, would be worth about 150*l.*; and if the former sold at par, or for 100*l.*, the latter would be worth about 300*l.*, the price being in each case entirely regulated by the interest: and the latter being generally about three times the former,—the 1½ per cent., by which the one is more than three times the other, being allowed for greater fluctuations, less facility of sale and transfer, &c.: so that though a dividend of 10½ per cent. per annum is declared, no Proprietor receives more than 3½, or 4, or 5 per cent. per annum, at the utmost, on the principal which his stock cost him; the real interest scarcely ever exceeding that of the other Government securities by more than ½ per cent. per annum.

The most absurd part of the farce is however this, that no other rate of dividend than 10½ per cent. per annum is ever declared or paid. Whether the affairs of the Company prosper, or whether they decline, whether they have

Captain MAXFIELD rose to ask a question relative to the Bombay Marine Service, when

The DEPUTY-CHAIRMAN rose to order. He observed, that at a General Court, the Proprietors undoubtedly had a right to put any question relative to the affairs of the Company which they might think fit; but he begged leave to ask, whether the practice which had recently prevailed—the practice of putting a multiplicity of questions before the regular business of the day was disposed of—was not exceedingly irregular; more especially when those questions related to matters not immediately before the Court.

General THORNTON was of opinion, that the proper time for putting questions was before the regular business of the day commenced.

Dr. GILCHRIST observed, that if questions were put off to the last moment, it was easy for the Directors to defeat the 'questionable people' by moving an adjournment of the Court.

THE COMPANY'S SHIPPING.

Captain MAXFIELD.—I rise, pursuant to a notice which I gave some time since, to offer a few observations on a subject deeply affecting the interests of this Company, and no less important to the shipping interests of Great Britain.

By the 58th of Geo. III. cap. 83, the owners of any ship burnt, taken, or lost, if she has performed less than five voyages, is authorized to build another ship in her place, to be engaged for six voyages, provided such owner stands acquitted of culpability as regards the loss of such ship. Now, it is evident that this clause goes to secure a positive advantage to the owner, and compels the Company to take up ships whether it wants them or not; and the fair and only inference which can be drawn from it is, that the obtaining such an engagement from the Company is too good a thing to be lost; but as good things of that sort are bad for one party, in the same proportion as they are good for the other, I trust the interests of this Company will be best consulted by the amending such clause, and enabling us to refrain from engaging expensive merchant ships, which might be well dispensed with, and freight obtained on moderate terms by a more simple and mercantile mode of engaging tonnage. So much, however, has the framing of that act gone to secure a monopoly of tonnage, that it would almost seem the ship-owners were the only parties whose interests were consulted, and that the interests of this Company as merchants, and of the British public who deal with us, for tea, was unnoticed or forgotten. (2) At the same time, it is natural to conclude that the legislature,

ten millions of surplus in their treasury, or ten millions deficit, the dividend declared is always the same. If the former case occurs, the Parliament has decreed that they never *shall* divide more than 10½ per cent: therefore, they have no interest in accumulating such surplus. If the latter happens, they open a new loan, and borrow more money, like other spendthrifts and prodigals, increasing their principal debt, in order to pay the accumulating interest. And, it may be added, that as one of the chief objections of the ministers and the people of England to taking the charter out of the East India Company's hands, is the amount of additional debt with which the nation would be charged, if it relieved the India Proprietors of their burthens, the Company has a direct and positive interest in *increasing* that debt, to preserve the charter, as long as ever they can get persons to lend them money to pay the expenses and interest of their existing loans and engagements.

The eyes of the people of England will one day, we hope, be opened to this system of folly and iniquity; and when that shall happen, its overthrow will be near at hand.

(2) We doubt not the motives and views of Captain Maxfield are patriotic and praiseworthy; but whoever commences on so untenable a foundation as the supposition, that a Company, established for the express purpose of

when the act passed, conceived that the interests of this Company would be vigilantly watched by our executive body, and consequently were less disposed to question the tendency and effect of clauses opposed to this Company in favour of the ship-owner.

I take it for granted that such parts of the act as apply to the tonnage were, if not entirely, framed by the East India Company, at least not opposed or objected to by them, and that it had their cordial concurrence at the time; while, on the other hand, the vigilance of Parliament was scarcely deemed requisite to weigh and estimate the precise effects of those clauses which appeared to involve no other question, than how much, and in what manner, we should pay and engage the tonnage required for our trade. In other words, it was our affair, and not theirs; and therefore, whenever I find an Act of Parliament quoted by the Directors as an explanation for hiring ships, paying sums of money, or contriving commissions for the settlement of doubtful claims, I shall consider, and I trust with propriety, such Act as an indemnity suggested by the Directors themselves rather than imposed on them by the State, and deem it the duty of our executive body to seek such remedies as may from time to time be required.

The authorizing an owner to build a ship which we must engage for six voyages, whether required or not, implies a prescriptive right in such owner to furnish us with ships for six voyages; and to give such claim a reasonable appearance, it ought to be shown that such owner had sustained a positive loss, which this Company was bound to make good. That an owner may feel disappointment when a ship taken up for six voyages, at a high rate of freight, is lost, I admit; but I deny all claim on that score; his ship ought to be, and most likely is, insured to the full amount of her value, consequently his loss is covered; and as the disappointment, if any, is felt by this Company, and is provided for before any owners could possibly build a ship here, I cannot conceive it expedient or reasonable that we should be compelled to engage ships for six voyages whether we want them or not. By the same Act we are authorized, on an emergency, to engage ships of a much smaller size, for single voyages, but are prohibited from employing them in the China trade, unless in particular cases. The Act, therefore, goes to secure a monopoly of the freight required for the China trade, to a certain class of ships, the property of a few individuals, and consequently excludes nineteen-twentieths of the shipping of the port of London from entering into competition, keeps up the high rate of freight, and compels the public to pay a higher price for tea, and every other article imported in them. (3)

That such clauses of the Act are religiously observed by the Company I am not surprised at, and indeed, until some alteration is made, the Company, as

wresting from the public, by its exclusive monopoly, advantages which ought to be shared by all the rest of the nation, should ever think the interests of that public worth their care, cannot fail to fall into great mistakes and inconsistencies.

(3) It is the high price of tea, and the consequent profits of the East India Company on their exclusive supply of this article to England, which alone supports them as a trading body, for every other branch of their trade is known to be conducted at a great loss. To them, therefore, the higher the price of tea the better; they are the last persons in the world likely to be moved by any argument to lessen it. And as to the present system of the China trade excluding nineteen-twentieths of the ships of London from engaging in it, that is precisely what they want. They would keep not only all interloping ships, but all interloping people too, out of the pale of their exclusive privileges; and an argument used at the India House to induce the Company to surrender its charter without equivalent or compensation, would be just as much in place, as this attempt to make them relinquish what they deem one of its greatest advantages.

well as the British public, must bear the increased expense patiently, if they can; but it is rather singular that the spirit of some other clauses of this Act, as well of some other Acts, are either considered less important, less expedient, or less imperative, than those which tend so much to augment our commercial charges.

There is a clause in the 58th of Geo. III., which sufficiently evinces the intention of the Legislature to avoid confounding in any way the ships or vessels employed in our war establishment, with those chartered and hired by us for commerce. There are other Acts also, which must be well known to our law officers, fully indicative of such intention on the part of the Legislature; and the reasons for such distinction are so palpable, cogent, and numerous, that it is almost a waste of words to offer any arguments to show that our vessels of war and our merchant ships should be held distinct and separate; while to confound them together is no less at variance with the intentions of the Legislature than with sound policy, and every consideration which ought to influence the conduct of those to whose management is intrusted the complicated interests of a most extensive empire. The duties imposed upon our vessels of war and our merchant ships are so widely different, that to confound them together is to paralyze the best effects of the first, and to render them worse than useless; yet, from the orders which have been occasionally given, such would seem to have been the object, however absurd it must appear. The officers of our vessels of war have been sent to India in the same manner as cadets for the army; they leave this country to serve in a capacity purely military; they hold commissions enjoining them to act agreeably to the usage of his Majesty's Navy, and are prohibited from trade in any shape; it is their duty to protect the revenue, and to prevent smuggling; they serve the Company from infancy to old age, and are exclusively devoted to their service, and however little delicacy of feeling may have been shown them, the records of this House prove that they have always consulted the interests of this Company *while in its service*, and acquitted themselves with uninterrupted fidelity, however neglected, degraded, and oppressed. The officers employed in the ships hired for commerce are appointed by the owners, and are consequently their servants, and as naturally look to the owner for protection, favour, and promotion, as the officers of our vessels of war look to us for the same benefits; but with this essential difference, that the former always obtained it, while the memorials and prayers of the latter have been studiously disregarded.

I am led to this digression by a correspondence, lately sent to me, between Captain Betham of the Bombay Marine and the Marine Board at Calcutta. It appears that an officer of one of the Company's merchant ships, lying at Calcutta, was to be tried for some breach of duty, and the Marine Board appointed a court of inquiry or court-martial, and notwithstanding there were a sufficient number of the commanders of the Company's merchant ships there to form such a court, the Marine Board chose to compel Captain Betham of the Bombay Marine to sit as a member, junior to every commander of a merchant ship placed upon it, in spite of every plea or remonstrance he could make against this measure. The Marine Board were borne out in their conduct by the orders of the Directors, issued in 1806, which, contrasted with other orders of the same body, are, to use a mild but not a sufficiently expressive term, irreconcilable and inconsistent; the orders, however, are in existence, and speak for themselves. It is not necessary to inquire whether a court, assembled by the authority of the Marine Board at Calcutta for the trial of any person, was legal or not; but I have high judicial authority for saying, that if it had been ever so regularly constituted in other respects, the placing Captain Betham upon it as a member, rendered it completely illegal, and that the person so tried would have ground for an action against every member of the court, in consequence. Thus, then, this tribunal, which was at least intended to assume a grave and solemn appearance, borders on the ridiculous; though the Marine Board, whose sagacious ingenuity gave birth to it, stands absolved of the absurdity by the orders of the Directors in 1806. This, however, is but one of the many instances of absurdity which have arisen from orders no less inco-

sistent than impolitic; if it were the only mischief which had occurred from them, I should have passed it over in silence. That the spirit of a few solitary clauses should be occasionally violated in the numerous Acts which relate to India, is not remarkable: but that it happened on this occasion, says little for the wisdom of the Marine Board at Calcutta, and still less for their liberality.

The Legislature has directed that the East India Company's commercial and political charges be kept distinct and separate; but on this occasion such orders are disregarded. Captain Betham was on his voyage from this country to Bombay, and was not entitled to full pay and allowances until he had joined; he became, however, entitled to full allowance, house-rent, &c., from the moment he was so employed; by which the political charges are thus augmented on a commercial account, and it may be yet some time before he joins his corps. (4) To the disposition evinced by the Marine Board at Calcutta, as well as by the late Superintendent of Marine at Bombay, to confound and blend together the officers of the marine or war establishment with those of the merchant service, much injury to our interests may be traced. The marine war establishment has been so long accustomed to every description of neglect, degradation, and persecution, that they cannot reasonably expect more liberal treatment at the hands of their Honourable Masters, and their hopes and fears ought to be at an end. But there are other branches of the service to whom the marine are but as a drop to the ocean, who may have reason to lament that reciprocity was not extended, from motives of policy if not of liberality, to a friendless, yet faithful, branch of the service, least in number, patient in their sufferings, constantly devoted to the interests of the country, and as constantly disregarded; 'but let the stricken deer go weep.'

Now, Sir, since his Majesty's Ministers and the Legislature have, on every occasion, exhibited the utmost readiness to amend or repeal such part of any Act or Acts as have been found injurious to the interests of this Company, (5) I trust there will be little difficulty in obtaining their consent to a repeal on the present occasion, where the interests of the British public, as well as of the whole commercial marine of this country, must benefit by participating in advantages at present withheld. Instead of being obliged to engage ships for six voyages, of a size which precludes the employment of the greatest portion of the shipping of this country, it would be more expedient to render all good ships of not less than 500 tons eligible, and this measure would prove productive of very general benefit. It might be well also to dispense with more than two guns for each, and all other useless finery, in ships required for trade, which would not only tend to reduce their expenses, but render them more safe and manageable in bad weather. I therefore beg to submit the following resolutions:

1st.—That with a view to enable the Company to recover the heavy expenses of the last war in India, as well as to place our affairs on a more favourable footing at the close of our charter, it becomes desirable to economise in every way in which it can be effected without impairing the efficiency of those branches of our service on which the safety of India depends. (6)

(4) We think that if this were the most important case of mingling together political and commercial charges, it would be hardly worth noticing; and if there are greater, which every one must know there are, where as many thousands as there could be here units, are so misappropriated and concealed, the mention of this is calculated to create a very inadequate impression of the importance of their separation.

(5) Perhaps there *has* been a readiness (much too great as some may think) on the part of the ministers to serve the Company, in that reciprocity which leads them always to return kindnesses to those who are most faithful to them when required. But every concession made to the interests of the Company, is an injury done to the interests of the public: and the one cannot be promoted but at the expense of the other.

(6) The objection which every Director and Proprietor too, would make to

2d.—To effect which, this Court recommend the Court of Directors to take the necessary measures to obtain a repeal or amendment of such parts of the Act of the 58th of Geo. III. which compels us to engage ships for six voyages, whether required or not, in lieu of such as may be burnt, taken, or lost.

3d.—To amend the Act, so as to enable this Company to permit the shipping generally of this country to participate in the advantages derivable from our constant demand for tonnage, as well as to avail ourselves of those advantages which competition on so extensive a scale would offer, by rendering all good British-built ships, of not less than 500 tons burthen, eligible for our trade with China, and to be chartered for single voyages only.

The CHAIRMAN defended the existing system, which had been approved of, as the best, when the subject was formerly under the consideration of that Court.

Mr. HUME was of opinion, that a change in that part of the shipping system alluded to by the hon. Proprietor would be advantageous; but the present resolutions, in his mind, embraced too many subjects for the consideration of the Court at one moment. He therefore would advise the hon. Mover to withdraw his propositions, and to bring forward the subject on another day in a more tangible shape. (7)

Mr. TWINING eulogized the system on which the Company's trade with China was conducted. In consequence of the superior size and quality of the ships employed in that trade, the cargoes were brought home in the most excellent condition; and thus a very considerable saving was effected; besides which, the Chinese Government thought more highly of the English, on account of the size of their ships. (8)

this resolution, might reasonably be—'If I help to put the affairs of the Company in such a flourishing condition as that, at the end of our present charter, we have no debts left, but a large surplus of savings, the ministers will undoubtedly seize so favourable a moment to transfer our prosperous concern to their own hands; and then adieu to all my hopes of place, patronage, appointments, &c., the only benefit resulting from being a Director or Proprietor—as the mere interest paid me in money, is no more than I could get on my capital in other equally safe securities or funds.'

(7) Then we do not understand the subject. For Captain Maxfield's resolutions embraced only *one* point, and that of the most tangible kind, namely, to repeal only one part of a single Act of Parliament, which compels the engagement of ships for six voyages instead of one, and to admit ships of 500 tons burthen, instead of 1000, to be eligible for such voyages. What can be more simple? what more explicit?

(8) This may be true: as the Chinese admire large gods, large women, and large junks, (as their own ships are called.) Some of the former are as fat as ten London Aldermen put together, and would make three Daniel Lamberts at least. Of feminine beauty, they judge entirely by girth and weight; and the most extravagant praise that can be given to a lady, is to compare her face to the full moon, and her haunches to cushions. Their junks, though having one mast only, and one large straw mat as a sail, are often 1200 tons, to perform only a voyage of a few days before the wind. To inspire respect, therefore, among such a people, we ought, instead of sending over an obstinate ambassador like Lord Amherst, who is, we believe, also very small of stature, to have sent them Gog and Magog from Guildhall, as a specimen of our London citizens; the Swiss giantess, or the Hottentot Venus painted white, as a specimen of our women; and the *Columbus* and *Baron of Renfrem*, with two of the most portly commanders that could be found, as specimens of our light pleasure-boats, and summer cruizers. A nation that employs junks of 1200 tons as mere coasters, must look upon our Indiamen, who perform voyages of so many thousand miles, as mere skiffs or wherries.

Captain MAXFIELD.—In replying to the observations which have been made on the motions submitted, I shall be as brief as possible, and as not one of my assumptions have been confuted, or, indeed, any thing like argument adduced against them, the task will not be difficult. As you, Mr. Chairman, have expressed your inability to follow me through all the subjects I have referred to in my address, I shall confine my reply to those points in which you have attempted to do so, and presume that those you have avoided were unanswerable. As a reason for opposing the motion, and adhering to the old and expensive shipping system, you state that the Company have always equipped their ships in such a manner that the advantages are evident from the preservation of the fleet, under Commodore Danne, about a quarter of a century ago. Every naval officer will believe, that however much credit is due to Commodore Danne, the appearance of the ships did more for them than any thing else; and if you really intended ships, carrying thirty or forty guns, to be considered vessels of war, you would certainly give them more than 140 or 150 men; indeed, it is absurd to suppose a 1200 ton ship, stuffed with cargo, mounting thirty or forty guns, with a motley crew of 150 men, to be adapted for war. You may, Sir, from affection and habit, adhere closely to the old system; but, depend upon it, the day is not far distant when it must be changed; the commercial interests of this country demand it; and if we wish to obtain a renewal of our charter, we should do well to render our monopoly as little burthensome and objectionable to the public as possible, and voluntarily sacrifice a little to save the remainder.

It is a question of mere pounds, shillings and pence; and every person is able to comprehend that if the trade with China were carried on in ships attainable at 13*l.* or 14*l.* per ton, instead of 21*l.* or 22*l.*, tea, and every other article imported in them, could be furnished at a very reduced price. (9) The pretension set forth, that large ships are safer and better in a commercial point of view, is answered at once, by asking, would any one, amongst the whole body of Directors, for a moment, pretend to trade as an individual merchant in the way they conduct our commerce as a trading Company? I believe it will be found, on reference to the rates of insurance at Lloyd's, that good British-built ships, classed A 1, are insured at as low a rate as those of the India Company, whose superior safety and convenience you have so much extolled. It is, therefore, evident, that, in a commercial point of view, these lofty pretensions are of little value; and that if we chose to employ smaller vessels, and insure them at Lloyd's, instead of becoming our own insurers, we might do so at as little charge as we could effect it on ships which now entail nearly double the expense.

An honourable Proprietor on the floor has deprecated my observations on the Bombay Marine, as containing charges against the Directors, without bringing them in a tangible shape before the Court; and offered himself to go into the question, and to support such motion, if I bring it before them in such shape. He has, however, mistaken or misquoted me, in saying I had described the marine as neglected, degraded, and unworthy. I must deny the latter expression. I asserted that the Bombay Marine had been neglected, degraded, oppressed, and persecuted; but I would not have said it was unworthy; I well know its merits and its sufferings; but, as an officer who has passed the best years of my life in it, I felt little inclined to laud and panegyrize the corps to which I belonged, though I was still less capable of offering it such gross injustice, as to pronounce it unworthy. I, however, cheerfully avail myself of the hon. Proprietor's offer to second me if I bring it under discussion; I therefore have pledged myself to do so as early as possible.

(9.) But this is what the Company does not want. The Proprietors can drink Gun-powder at twenty shillings, (though they are no friends to such combustible materials,) without feeling its high price half so much as a poor weaver would feel an advance of sixpence on a pound of Bohea.

I shall then endeavour, being thus called upon, to prove its worthiness, and also to prove as distinctly and unequivocally the neglect, degradation, and persecution it has experienced. As to the acknowledgment made from the Chair, of its merits and claims, I consider it as adding to the cruelty with which it has been treated; to neglect and degrade the unworthy, were consistent and reasonable; but to neglect, degrade, and persecute those whose claims and merits you affect to admit, is to add insult to injury. Your peculiar good taste, Mr. Chairman, in alluding personally to me, and stating that the fact of my being a member of this Court, was a proof that the corps in question was highly respectable, and could not be neglected and oppressed, I cannot so readily imitate; I feel my tongue tied on such a subject; but as to my being a Proprietor of three stars of India Stock, (10) this is only evidence that I somewhere found money to obtain it, and I shall proceed readily to show where I got that money. Your explanation, however, renders that unnecessary; and, therefore, your allusion to me, I conceive, means and establishes nothing more than that it is possible that one marine officer, out of a hundred, may, by accident, be enabled to obtain a seat in this Court, before all his faculties and intellects, if he ever had any, were utterly destroyed, or, indeed, before age and infirmity had deprived him of the power of speech. If, instead of being tenderly alive to the interests of this Company and the prosperity of India, I were indifferent to the one, or vindictively hostile to the other, I should behold with satisfaction, rather than regret, the fate which the motion I have made this day will no doubt experience. It will, however, operate to our injury; and the public will perceive that the decision of questions in this Court, by a majority, are as little influenced by reason or facts, as the belief of the countless majority of the swarthy population of India affords of the superior excellence of the institutes of Menu over the more simple evidence of revealed religion.

That economy, in the conduct of our affairs, is most essential, cannot be denied, and your orders to enforce it in every branch of your military expenditure, proves your admission of it as a most necessary principle, and renders it incumbent upon you to show why it should not be equally regarded in the commercial and civil branches of your service. That your commerce, with the exception of the China trade, is most unprofitable, will scarcely be denied; but its unproductiveness will hardly be urged as a reason for conducting it on the most expensive scale. That it should prove most ruinous will not appear wonderful, when it is remembered that during the late war, when his Majesty was building 74 gun-ships in your dock-yard at 31*l.* 10*s.* per ton, and frigates at 28*l.*, you were hiring merchant ships at 44*l.* and 46*l.* per ton, exclusive of demurrage, while those ships that proceeded from Bombay to China were only one-third laden on our account, and the remaining tonnage of these expensive merchantmen became the emolument of the captain! Will it be believed, that while such an anti-commercial usage prevailed, the Bombay Government received a quantity of cotton from Guzerat, annually, as revenue? and is it not natural to conclude you would have ordered it to be sent to China on our account, to meet the demands for tea, instead of providing specie here at an enormous loss? But, no—that was not expe-

(10.) The uninitiated reader should be informed, that in the printed list of India Proprietors, a certain number of stars are placed opposite their names, to denote the number of votes they possess, which is regulated by the amount of their stock—thus: a proprietor of 1000*l.* has one star; of 3000*l.* two stars; of 6000*l.* three stars; and of 10,000*l.* four stars,—the greatest number allowed to be possessed by any one individual, and the money required to purchase which, is from 20,000*l.* to 30,000*l.*, so that the price of tea can be no great object to stock-holders like these. See a curious and instructive letter on this subject of stars and stock, addressed to the Proprietors of India stock, and containing an analysis of the materials of which the Court of Directors is formed—in the '*Oriental Herald*,' Vol. V. p. 610.

dient; the usual quantity of cotton only was ordered, and the Bombay Government, to get rid of the cotton, sold it to our commanders at a fixed price, who carried it to China in our ships, and reaped those profits which ought to have been secured to us.

Some time ago I submitted a motion, exhibiting a practical saving of 570,000*l.* a-year on our commerce. It was opposed by you, and negatived by a large majority; (11) it therefore follows, that however salutary economy may be in the military branches of your service, it is quite inadmissible in the commercial; but, as it deeply affects the interests of the British public, and may operate powerfully on their minds when the renewal of our charter comes under discussion, it may be politic at least to explain the causes, and prevent misconception on a subject so likely to operate to our prejudice.

The affairs of this Company can no longer be considered or conducted as that of a snug party, connected together for the mere purpose of dividing limited profits and unlimited patronage unequally amongst the few: the interests of the Company and the public are closely identified, (12) and the safety of British India renders it requisite that such policy should be exploded. I have performed my duty as a Proprietor, unconnected with shipping or trade in any shape; my only object is the benefit of the Company, and the welfare of my country: (13) the eyes of the public are upon us, and they will best appreciate the motives by which we are governed.

The Resolutions were then put by the CHAIRMAN, and negatived without a division.

QUALIFICATIONS OF OFFICERS IN INDIA.

Mr. HUME rose for the purpose of submitting a motion to which he did not think any objection would be offered. The information he wished for, was for copies of all orders issued by the Governor-General or Commander-in-Chief, to the several Presidencies in India, respecting the qualifications necessary for officers acting as interpreters to courts-martial or to regiments; also the orders issued by the Court of Directors to the several Presidencies, touching the qualifications of officers for such appointments; also an account of the number of officers examined in each Presidency as to the qualification for the office of interpreter; the name of each officer so examined, and the date of his examination; also the orders issued in each Presidency respecting the qualification of medical officers, as to their knowledge of the Hindostanee language, and the number of examinations of such officers, and the date of each. The hon. Member observed, it had been said, that such attention was paid to this important subject in India as would prevent the necessity of any anxiety respecting it in this country. He was aware that orders had been issued in 1819, by the Governor-General, to the effect that no officer should be appoint-

(11.) What stronger proof could any man require of the utter inutility of all attempts to get the assent of such a body to any retrenchments in their expenditure?

(12.) This is Captain Maxfield's great and constant error; into which, however, others besides himself have fallen. The interests of the India Company, and that of the English public, are as dissimilar as any two things can be. It is the interest of the one to preserve its monopoly, both of government and trade; it is the interest of the other that both these should be thrown open to the equal participation of all British subjects. But really this incompatibility of the interests of a set of exclusive monopolists, and those who wish to get that monopoly destroyed, is so plain, that one wonders how it could ever enter into the mind of any man to conceive them identified.

(13.) The welfare of the country would be best consulted, by giving every man in it an equal participation, according to his means of trade, in the freest intercourse with our national possessions in every quarter. The very existence of any exclusive Company is hostile to that welfare, and two such opposite interests never can be made the same.

ed as interpreter, unless he was sufficiently instructed in the Hindostanee language. Similar orders were issued from Calcutta in 1823; yet, since then, he understood that appointments as interpreters had been made of officers who were by no means sufficiently qualified. It was on this ground he should wish for information, in order that it might be seen how far the several regulations had been carried into effect, and what had been the result.

On the question being put,

The CHAIRMAN said, he could have no objection to the motion.

It was then put, and carried in the affirmative.

Dr. GILCHRIST was anxious to know how many Directors were present in the Court (of Directors) on the two occasions when that body could not come to an unanimous vote of thanks to Lord Amherst. They were told by one of the Directors of an overwhelming majority on that occasion; and, in order to judge of that, he should like to know how many were present. There was, he knew, a roll kept, in which the attendance of the Directors was marked, and from that the information he had asked could be obtained.

The DEPUTY-CHAIRMAN said, that he was not able to answer that question.

A short discussion arose on this point, in the course of which it was stated, that the number of Directors attending any Court could not be made known. When any Director attended before twelve o'clock, his initials were marked down, but it did not follow that he would remain at the Court after that. All that the Chairman could state of any Court was, that a sufficient number attended to constitute a Court, but the exact number above that was not entered on the minutes.—Here the matter dropped.

MEDICAL AND MILITARY OFFICERS.

Mr. HUME wished to put a question on a subject to which he had called the attention of the Court two years ago. He wished to know whether any steps had been taken to fill up the vacancies in the number of European officers. In this respect, he believed, a great deficiency of officers was felt, and he had heard of corps of 1000 Native soldiers to which no more than three European officers were attached. At present the want was, he understood, severely felt. The want of a sufficient number of medical officers was also much felt in India, particularly in Western India. A regulation had lately been made, by which an additional assistant-surgeon was sent to each King's regiment in India, and he thought it would be wise to follow that example, for he believed that a great loss of human life had accrued from the want of a sufficient number of medical assistants.

The CHAIRMAN said, the hon. Gentleman had an advantage over him, in the many sources of private information which he possessed, while he (the Chairman) could only go by the official communications made to him. He could say, that he had heard no complaints of the kind. The rule of the Court was, to ascertain the number of vacancies for military offices every year, and to fill them up. He knew of the regulation by which a third surgeon was appointed to every King's regiment in India, and he approved of it; but then the King's regiments had no medical staff, which the Company had. There were in the several districts hospitals, and the services of the medical officers attending them were always available in cases of necessity; besides these, considerable assistance was derived to the troops from the services of the Native dressers.

Mr. HUME thought it would be wise to follow the example of the King's regiments with respect to the number of medical officers to each. Any economy in this respect would be wholly misplaced. He knew of one case in which he was the only medical officer attending a body of 8000 men. This he knew did not often occur, but such a case should be guarded against by a timely supply of medical men.

Mr. WIGRAM said, the deficiency of military officers did not arise from the want of officers in India, but had been caused by the number taken from each

corps to fill up staff appointments. But to prevent inconvenience from this cause, a regulation had been made, by which only a certain number could be taken from each corps to be placed on the staff.

Colonel BAILEY bore testimony to the zeal with which the hon. Proprietor (Mr. Hume) had discharged his duties as a medical man, in addition to several others which at that time devolved on him, while doing the medical duties of five corps. He should, however, bear in mind that every corps of that number had had its regular complement of surgeons at the commencement of the year to which he had referred.

Dr. GILCHRIST adverted to the medical school for the instruction of Native assistants, established by Lord Amherst, and asked whether it was still kept up or knocked on the head?

The CHAIRMAN said, he could assure the hon. Proprietor that it had not been knocked on the head, but was going on, and likely to prove of great service in India.

MUTINY AT BARRACKPORE.

Mr. HUME said, I rise for the purpose of submitting to this Court a motion, which has arisen out of the proceedings of the two last days, and I do think that, after all that we have heard, and all that has been said respecting the affair at Barrackpore, although I much wish that it may be buried in oblivion in India, yet it ought not to be suffered to remain without a further and an entire investigation. In another view, I am of opinion, a full and an immediate inquiry into all the details connected with this most melancholy affair, is due as well to the character of the noble Lord at the head of the Government of India, as to that of the gallant General (Sir Edward Paget) who was Commander-in-Chief there at the period of its occurrence. In mentioning the name of Sir Edward Paget, I cannot omit to notice the statement that has been made, viz. that his name has been omitted in the vote of thanks in which other officers in India have been included, in consequence of his conduct respecting the transactions at Barrackpore. It has been stated that I have eulogised the conduct of Sir Edward Paget, but if I have done so, it has been most certainly without my knowledge, for I have had no intention of the kind, although, at the same time, I have not either had any intention of condemning him, without having full information on the facts of the case. But sufficient has already been allowed to transpire, to impress me with a conviction, that to prevent a full investigation of all the circumstances of the case from being gone into, will be an act of the grossest injustice towards Sir Edward Paget. Imputations which loudly demand investigation have been cast upon his conduct upon that occasion, and these imputations too have proceeded from quarters in which most information upon the real facts must necessarily be expected. I have seen, and have now in my possession, a letter written by the son of Lord Amherst to a friend of his in the civil service of the Company, in which he mentions a report which had just reached India from England, that his father was going to be recalled in consequence of the part he had taken in the proceedings at Barrackpore. After some other remarks upon this subject, he adds, that the Indian Government did not give any opinion respecting the treatment of the troops upon that occasion, 'out of delicacy to Sir Edward Paget, who, being a member of that Government, would thus be called upon to pronounce censure upon himself.' (14) I do not mean to throw any blame either upon Lord Amherst or Sir E. Paget, but I am decidedly of opinion, that situated as they both are, this Court has every right to require such information as will lay the blame, if blame be at all attachable, upon the quarter where it should justly fall. I am possessed of a variety of information upon this subject from several sources, but, for every reason, I would prefer having the official accounts of it. I see by the 'Calcutta Gazette,' that a general order was issued

(14.) See this curious and illustrative letter, given at length in the 'Oriental Herald' for October last. Vol. XI. p. 230.

by the Governor-General in Council, from Fort William, of the date of the 4th of November, 1824, and in that order there is an account given of this affair, very different, in my opinion, from what a real statement of the facts would furnish. The account there given begins in this way: 'It is with much regret that the Right Honourable the Governor-General in Council feels himself called on to announce to the Bengal army the consequences of a most disgraceful mutiny in the 47th regiment of Native Infantry, at Barrackpore, on the 1st instant, in which the corps was joined by a number of sepoys, equal to about two companies, of the 62d, and perhaps twenty men of the 26th Native regiment. These corps had been under orders of march for some time, and had experienced some difficulties in procuring carriage.' Now, the fact is, (said Mr. Hume, in continuation,) that these troops were a short time previously marched down from the upper country, for the purpose of being embarked to proceed to Ava.

The CHAIRMAN said, I believe that those troops were not under orders for Ava. The Government did not intend to send them there.

MR. HUME continued.—They were, however, under orders to march, wherever it might be intended to send them, and before that time they had complaints of a want of carriage-bullocks. Now it is perfectly well known, that it is not customary for regiments on service in India, to go into the bazars, and seize whatever cattle they intend to use on their marches. On the contrary, the mode is to apply to the magistrate of the district, and by or through him the necessary cattle are procured. The troops at Barrackpore did make an application to the district magistrate to be supplied with the bullocks requisite for them, but as the Government had previously taken up for their own use almost all that could be found, the application made by the troops was ineffectual, as the bullocks could not be procured. Besides this application for cattle, those corps had made another, for certain allowances similar to those which had been granted to the forces in Chittagong, and they had been refused these allowances. Those complaints had been sent in to Sir Edward Paget fourteen days previous to that upon which they were to have marched, but up to that very day not one of their complaints or their requests had been paid any attention to. The consequence was, that on the marching day, the 1st of November, they refused to march. Instantly upon this refusal being made known to Sir Edward Paget, he ordered up the 16th, 61st, and 68th regiments of Native Infantry, the Governor-General's Body Guard, together with one of the King's regiments, and a party of Artillery, and these together constituted a force more than sufficient to overawe the refractory corps. On the next day, the 2d, they still refused to march, but they were kept in total ignorance that any force had been brought up against them. There was also a masked battery crested behind some huts close to the station in which they were quartered, which was alone capable of destroying every man of them. With respect to these proceedings, what I complain of is, that no notice whatever was given by the officers of his Majesty to those unfortunate men, of the arrival of this force. Had they adopted that course, I do not entertain a shadow of doubt that the men would at once have been induced to lay down their arms, and that every one of them would have returned to his duty, without the least necessity either for shedding one drop of blood or of firing a single shot. The account given in the Gazette of the Government states, that all grounds of complaint on the part of those mutineers were removed. It also adds, (when alluding to the complaint respecting bullocks, which had been made by those troops,) 'this, however, was immediately removed on its being brought to the notice of Government by an advance of cash to each corps, to aid the sepoys in procuring the necessary carriage of cattle for their baggage. As the event, however, proved, the difficulty served but to cover a subterfuge; a bad spirit possessed the corps, and when all difficulties were removed, and it was no longer possible to practice evasion, they refused on the parade to march, with the exception of about one hundred and eighty men, and the non-commissioned and commissioned Native officers.' Now, I say, that the probability of this account must entirely depend upon

the time at which the complaints of those troops were made known to the Government, as well as at what period the Government took any pains to satisfy them. From the information which I have received, I much fear that those complaints remained too long unattended to, and what is more, that they never were effectually removed. Be this, however, as it may, the result has been the destruction of from four to six hundred human beings. Instead of permitting them to acquire any knowledge of the force, or of any force, with which they might have to contend, they were suffered to continue in ignorance of its approach or of its existence, until the very instant when that force commenced their destruction. I do repeat, that with the troops, which the Commander-in-Chief had at his disposal, I do not assume too much when I say, that the dreadful consequences which have resulted would have been averted by a timely display of his strength or of his determination. Unfortunately, however, this mild and humane mode was not that which had been resorted to, and hundreds of the very best and bravest of our troops have been suffered to perish by the hands of their own comrades.

Mr. WIGRAM.—I rise to order, and I must beg to observe, that if the hon. Proprietor intends only to move for papers, he is departing from the regular course, by going into a minute detail of facts, the reality and truth of which could be substantiated only by the production of these very papers. My opinion is, that if what is sought for be only the production of papers, the discussion of the circumstances to which they refer would be much better postponed to another day. (15)

Mr. HUME in continuation.—In what I have said, I have only stated a few of the facts relating to this subject, which have come to my knowledge individually, and I will now abstain from offering another word upon it, if the motion I propose shall be acceded to. At the same time, although it is not my design to lay before the Court now the *whole* of the information of which I am in possession, (as I prefer that they should derive it from the official documents for which I shall move,) yet I cannot avoid making some comments upon matters which appear to be admitted by all sides. I shall not, therefore, dwell upon the dreadful loss of life upon that disastrous day, further than merely to observe, that in consequence of orders issued by the Commander-in-Chief to both the European and Native regiments, as well as to the artillery, a deadly fire was opened, and a charge was made, which caused the instant destruction of from four to six hundred persons. Such an occurrence as this has, I say, never before taken place in India; nay, it is unprecedented in the annals of any nation. I here again must repeat, that I do not mean, that either the noble Lord at the head of the Indian Government, or the gallant General, the Commander-in-Chief, are to be instantly condemned for the course they have followed. On the contrary, it may be possible that they are altogether blameless for their conduct in this affair, but I do say, that this is a case in which justice calls upon us imperatively to require that every inquiry shall be made, in order to ascertain where blame is to lie; and this is the view with which I now call for the information which must guide us in our decision. So long as this information is withheld, the British public will never be satisfied, the people of India will never be conciliated.

When there has been so much said about the mere sending away of two

(15) Whatever reflects censure upon men, it is no doubt disagreeable to such men to hear; so that the wish to stop these disclosures was perfectly natural. But if, on a motion for papers, nothing is said, the reply of the opponents then is—'you have made out no case to justify their production.' If, on the other hand, a great deal is said, or saying, the ready answer is—'move for the papers only, but don't discuss the matter till we have them before us;' the parties well knowing their own strength to prevent their ever being granted.' These are the *tactics* of well-trained bands in all public assemblies, and by these arts are their majorities generally supported.

persons from an island, (16) I ask, is it possible to imagine that the public will quietly allow an outrage of this magnitude to pass by unnoticed? No! Fortunately the people of England are so sensitive, and so much alive to every measure which involves the loss of liberty or of life, and so directly opposed to every act of oppression, that it is impossible to conceive that this subject can be suffered to remain where it now stands. (17) I do not urge as an argument in favour of inquiry, that it is necessary to have it in order to provide a remedy for the calamities which have already resulted. That, unfortunately, is now impossible; but I think that it is possible, and I am sure it is necessary, that the recurrence of any similar calamity should be guarded against, by holding up the outrage of Barrackpore as a beacon to those who are invested with power. I also say, that the inquiry is necessary, in order to avoid the risk we must run of losing altogether our possession of India. For, I ask, is there any man weak enough to assert that we can continue to maintain our present power and dominion there, if we shall once lose the confidence and the affection of the Native Indians? (18) These, then, are the grounds upon which I think it necessary that the whole of the information upon this subject should be laid before this Court. It appears six sepoyes have been hanged out of forty-seven belonging to one company who were tried; and that out of twenty belonging to another company who were tried, four suffered death. The remainder of the whole sixty-seven, who escaped the infliction of capital punishment, have been condemned, by a commutation of their sentence, to imprisonment and hard labour for their lives—a species of punishment to them even more degrading than death itself. I was about to say, that I only asked for information, the propriety of which the Court must decide, on taking into their consideration after what I now state. After the occurrence of these unhappy transactions—after these unfortunate men had fallen by the hands of their own comrades, the Indian Government appointed a commission, consisting of three

(16) This, we apprehend, relates to the Parliamentary discussions respecting the two men of colour, Leisne and Escoffery, who were banished by the Duke of Manchester from Jamaica to St. Domingo, on the ground that they were *aliens*. In the East Indies, however, the English Governors banish men because they are *not* aliens; the greatest misfortune there being to be of British blood and birth—admirable consistency!

(17.) We fear that Mr. Hume overrates the virtue and the public spirit of the English people; for, if need were, instances of every day occurrence might be mentioned, in which the lives and liberties of their fellow-subjects are sacrificed, without its exciting even a passing sigh, much less their remonstrance or resistance; while the death of an elephant at Exeter 'Chango will keep them in a ferment for a week; and a battle between two pugilists for the championship, excite their hopes and fears for twice the period.

(18.) It is altogether a fallacy to suppose our Empire in India to be founded on the confidence and affection of the Natives; but, though this has been so often exposed, it seems necessary to repeat it again. They have *no* affection for us; and the only thing of which they can be confident is, that so long as the cultivators quietly submit, without a murmur, to pay to the collectors of the Company's revenue the utmost farthing demanded from them as taxes, and so long as the military perform all they are bid to do, whether to shoot their own kindred in Oude and Rajpootana, or carry their cooking utensils and baggage on their heads on the march towards an enemy's country, they will never be molested;—but that if they dare to resist the one, they will be shut up in a jail, and their farms sold to pay their arrears; or if they remonstrate against the other, they will be shot first, and tried and condemned to death afterwards. Our Empire in India is one of knowledge over ignorance—of discipline over the absence of all union—of military science and combined force over scattered weakness—of wealth over poverty; and while all these advantages are on our side, the confidence and affection of the Natives may be, as they are, utterly disregarded by those who rule them, except in professions

gallant and intelligent officers, for the purpose and with full powers of investigating into every circumstance connected with the origin, the progress, and the termination of this mutiny. These officers accordingly proceeded with the inquiry, and they agreed upon a Report. That Report was laid before the Government, and a copy of it now lies upon the table of the Court of Directors. All, therefore, that I ask is, that the Directors shall lay that document before the Proprietors, as it necessarily contains the most authentic information which we can receive upon the subject. By this means we shall have the opportunity of knowing where blame is really to be thrown, if there be any blame at all attachable. The motion which I shall propose will, together with a copy of that Report, include a copy of the General Order of the Governor-General in Council, of the 4th of November 1824; also, a return of the number of the mutineers that were executed, and copies of the orders, if any, transmitted by the Court of Directors with respect to those of the mutineers who were sentenced to hard labour, and to the officers who were dismissed. I must here observe, that the document to which I have before referred, the extract from the 'Calcutta Gazette,' after describing the attack upon the mutineers, goes on to order 'that the whole of the Native commissioned and non-commissioned officers (belonging to those corps which had mutinied) be instantly discharged the service, as totally unworthy of the confidence of Government, or the name of soldiers.' Now, we ought to keep in our recollection, that in the second paragraph, this identical document states, that the corps which had mutinied refused to march, 'with the exception of 180 men, and the non-commissioned and commissioned officers.' Thus, it is admitted in one part of this paper, that these men took no part whatever in the revolt with their comrades, yet, nevertheless, without any imputation of criminality, they are thus forever dismissed from the service of the Company. I do, therefore, contend, that where a censure, and I will call it a punishment, so indiscriminate as this has been inflicted, this Court has a right to be put in possession of the grounds upon which so sweeping a sentence has been pronounced. Much, indeed by far the greater part of this deplorable catastrophe, still remains involved in a cloud of mystery, that can never be cleared up until all the papers are laid before this Court. Indeed, I think that if any feeling of justice be entertained towards Lord Amherst, it is impossible to allow his Government to be charged with the entire blame of this affair, which must continue to be the case if full information be refused. And for the purpose of securing that esteem and respect, which is the basis of our empire, I conceive that this Court is bound to show to the Native troops, and to the entire people of India, that they will not allow a case, involving such vital and important consequences, to be passed by without the most accurate and minute investigation. I shall, therefore, now move,

'That there be laid before this Court a copy of the proceedings of the Committee appointed in Calcutta to inquire into, and report upon, the mutiny of the Native troops at Barrackpore, in November 1824.

'A Copy of the General Orders of the Bengal Government of the 4th of November (No. 335) of 1824, respecting the mutiny of the 47th regiment of Native Infantry at Barrackpore.

'A Return of the number of the mutineers that were hanged, and the number whose sentences were commuted to labour on the roads.

'A Copy of any Despatch containing the Orders of the Court of Directors to the Bengal Government respecting the mutiny at Barrackpore, and the mutineers who had been placed on the roads to labour, and respecting the Native commissioned officers of the 47th regiment who had been dismissed by the order of Government of the 4th of November 1824.'

Dr. GILCHRIST seconded the motion.

Sir C. FORBES.—In supporting this motion, it is not my intention to venture an opinion as to whether censure should or should not be passed on particular individuals. I at present do not attribute blame to any party, the object I have in view being solely that of obtaining information. (*Hear, hear.*) The ac-

counts which have been received in this country, from various quarters, are so discrepant and contradictory, and implicate so many parties, according to the respective views of their authors, that it would be unfair to place any reliance on them; and in justice to the parties whose names have been mentioned, the public should be put in possession of the most full and authentic information. Sooner or later there is no doubt that this must be done, for it would be absurd, nay, impossible, to imagine that Parliament would be informed that 400 or 500 of our fellow-creatures have been slaughtered, without at the same time informing the public of the grounds upon which this dreadful massacre was resorted to. (*Hear, hear.*) In the statements which have been made of the numbers who actually fell on the 2d of November, there is, I am inclined to believe, some exaggeration. From the information which has reached me on this subject, I am induced to be of opinion, that the total number of those who perished does not amount to more than from 300 to 400. But who can say what the numbers really may have been, when the orders were issued to pursue the unhappy men who fled at the first discharge, not to spare one of them, but to destroy every man within reach of the force brought against them? It is positively asserted, that numbers of persons, wholly innocent of any mutiny, and not in the most remote degree connected with the mutineers, were put to death in this almost indiscriminate slaughter. Some were chased and hunted like wild beasts through the fields; pursued into the very houses into which they had fled for refuge, and there butchered in cold blood. I will mention one instance which, amongst many others, has reached me, as a proof of the sanguinary manner in which the orders of the Commander-in-Chief were executed. Every man of colour that happened to come in the way of the troops seemed to them a fit object for vengeance. One man, who happened to be near the scene of slaughter at its commencement, beholding his countrymen fall around him, became naturally apprehensive for his own safety, and sought to secure it by flight. He was followed by two European soldiers, to avoid whom he climbed up a tree. Scarcely had he reached what he hoped would prove a shelter to him, when the guns of both his pursuers were levelled at him. An officer witnessing the affair, called to the soldiers, desiring them not to fire; but the words had scarcely passed his lips when one of the muskets was discharged, and the unhappy Native fell wounded to the ground! The soldiers approached him, when he raised his hands, and in the most imploring manner supplicated for mercy, exclaiming in the Hindustanee language, 'I am not a sepoy, I am only a gardener to the great man,' (the Governor-General;) and such was in fact the case; he had been occupied in the garden of the Governor-General, close to Barrackpore. (*Hear, hear.*) What, I ask, would he say, if, by the orders of Government, three or four hundred of our best troops were sacrificed in the open day, on the plea of mutiny? What, I ask, would he say, if no other reason were assigned for such violence than the mere statement that they had mutinied, and that no further investigation of the transaction was to be permitted? A similar case, so far as the mutiny is concerned, had nearly happened in this country not very long ago. A regiment of the Guards refused to obey the orders of their officers, under the plea of some alleged grievance. The officers went to them, and represented the absurdity of then continuing to disobey, and whilst they were thus striving to rouse them to a sense of their duty, troops were drawn around London, and every preparation was made to use a summary mode of reducing them, had the persuasions of the officers been ineffectual. Thus the gentle methods of persuasion were resorted to, and violent measures were postponed until it could be seen what effect was produced by admonition, which, happily, in this instance, produced the most beneficial results. But had a different mode been adopted, and force precipitately employed, and the lives of these men thus made a sacrifice, would Parliament have been satisfied with the mere explanation that it was a case of mutiny, and that in all such cases the Government had an unlimited right to destroy men, women, and children, without allowing any farther investigation of the circumstances? It is impossible to imagine, for an instant, that Parliament or the British public

would sanction such a proceeding? Why, then, I will demand, should such a line of conduct be justified in India, where everything—the very existence of the Company as Sovereigns—depends upon public opinion. Why is conduct to be applauded there, which in this country would be so justly and unhesitatingly condemned amongst us? Shall we say to the people of India, that because the case is theirs, no justice shall be rendered, no inquiry ever instituted? (*Hear, hear.*) I have not touched upon the leading facts connected with this melancholy case. I will cast no blame either upon one party or another—on the Governor-General or Sir Edward Paget—nor on the officers who acted under the commands of either of them in this affair. A great deal of what has happened may have originated in mismanagement; much may have proceeded from mistake; but, whatever may have been the cause, this Court is bound in justice strictly to examine into the transaction. We should make ourselves acquainted with the real circumstances of the case, in order that we may be able rightly to bestow either censure or approbation? On these grounds, and on these alone, do I vote for the motion before the Court. It has been asserted, that the interests of the Company would be much more consulted were this affair allowed to rest in its obscurity, as the discussion of it at this moment would have only the effect of renewing unpleasant recollections. In this view of the case I cannot coincide; for, it is my opinion, that every principle of honour and justice, nay, even of self-interest, strongly urge its examination. Nor will I cease earnestly to insist on such an examination; so long as I continue to have a vote in this Court, so long as I shall have seat in the House of Commons; so long as I value the interests of the Native population of India,—so long will I continue to press this investigation, until the most satisfactory information is attained, and until some measures are adopted by which the future recurrence of a similar outrage may be provided against. Those who know me will give me credit for not pledging myself to any thing which I have not at least the intention of performing; and I will not hesitate to promise, that, should my life be spared, I will not cease, year after year, and month after month, to bring this subject before the House of Commons, for the purpose of procuring its full investigation. It will, I contend, be a stain and disgrace to British justice, if this massacre be suffered to pass by without such an investigation as will have an effectual tendency to prevent the recurrence of any similar event. I may, perhaps, be thought to express myself with too great warmth upon this occasion, but it is the warmth of sincere and honest feeling. I have no passions, either selfish or vindictive, to gratify in this inquiry, and I am sure that none will be attributed to me. I have no personal acquaintance with any of the parties, whose interests may be immediately affected by the investigation; my only object is to benefit the Native subjects of India, and to secure the permanence of the Company's power in that country. (*Hear, hear.*)

Mr. WEEDING.—I have no doubt that the hon. Baronet, who has just sat down, is actuated by the purest motives in the vote which he intends to give, and the course which he designs to follow; but, at the same time, I cannot forbear thinking that he has upon this occasion allowed those feelings to get the better of his judgment. For what is it he proposes? After this question has been submitted to a court-martial, who have condemned forty-nine men to death as guilty of mutiny, (and the fact of mutiny being established, the whole question is decided,) (19) it is now proposed that the whole case shall be again con-

(19) Here is, indeed, 'a second Daniel come to judgment.' What! if four hundred men have been shot on the field, without any inquiry at all, would you ask questions respecting them, when forty-nine *others* were afterwards tried, and *after* inquiry and conviction, condemned to suffer death! Was ever any thing so unreasonable? The conviction of the forty-nine guilty will do as well for the four hundred unconvicted and innocent, who were shot before the court-martial sat. Really, Mr. Weeding deserves a seat in the Direction, as the smallest reward that can be given him after this luminous judgment.

sidered, and that the Court of Directors and the Court of Proprietors shall be erected into a species of tribunal for the trial of Lord Amherst, Sir Edward Paget, and all the other officers, who had been concerned in the punishment of those who had been guilty of mutiny, and who had assisted in bringing back their companions to a sense of their duty. The court-martial has already decided on the case; and it will be absurd to enter upon it again when no possible good can be expected to result from its discussion, (20) but, on the contrary, much irritation and danger. On these grounds, I will oppose the motion.

The CHAIRMAN.—I rise to state briefly to the Court why I shall give my vote in opposition to the motion before it. One ground of my opposition to it is, that which was stated by the hon. Mover himself in its support at the outset of his speech, viz. a wish to see the whole subject buried in oblivion. (*Hear, hear.*) Another reason why I oppose this motion is, that it has been already brought before the Court, undergone a full discussion, and received a decided negative. It was at that time said, that the question would not be allowed to rest there, but that it would be brought forward in the House of Commons. But such a motion has never been submitted. If it should, and the House decide upon publishing the whole of the papers, it has no doubt the power, and will exercise it at its discretion. But, acting here as a Director of the Company, I cannot take upon myself the responsibility of sending forth to the world documents, the publication of which, I believe in my conscience, will do no good, but, on the contrary, may be productive of much mischief. I am the less disposed to do so, because I am under the firm persuasion, that oblivion in this case will be the best for the interests of the Company. (21) The hon. Mover (Mr. Hume) has stated to the Court, on the authority of private communications, that his conduct at Barrackpore has caused the omission of Sir Edward Paget's name from the late vote of thanks. With private communications or private information, I, sitting here, can have nothing to do, and I trust the hon. Proprietor will excuse me, if I decline to receive them as authority. But I may be allowed to observe, that the proceedings respecting the late mutiny have had nothing whatever to do with the omission of Sir Edward Paget's name from the vote of thanks. Had that transaction never happened, it would not have occurred to my mind to include the name of that gallant officer in a vote of thanks for military operations with which he was in no way connected. (*Hear, hear.*) I have felt it necessary to make these remarks to remove a very wrong impression which seems to me to exist somewhere respecting that vote of thanks. For the reasons which I have already mentioned, I shall vote against the motion.

Captain MAXFIELD.—It may be necessary, perhaps, that I should explain to the Court the seeming inconsistency of my now voting in favour of this motion,

* There *was* a mutiny, nobody doubts it,—no matter how it arose, whether with cause or without:—there was a slaughter, nobody questions that either, —but no matter how this occurred, whether four hundred were killed beyond the necessary number, or only four. It is enough for me that there *was* a mutiny, and that as many as four hundred of the supposed mutineers were shot, (the King's troops, as an English officer then on duty as an editor of one of the public papers in India expressed himself, '*sniping*' at the fugitive Sepoys throughout the remainder of the day :) what need we know more than this to decide the whole question?—In truth, 'a very Daniel come to judgment'

(20) This is begging the whole question: the other side contend that good will be produced by its discussion, and therefore they bring it on.

(21) No doubt: but that very expression sufficiently characterizes the transaction; for, if it were a good and proper example of the just punishment of unjust claims, then it would be for the interest of the Company that it should always be had in remembrance: since we never desire that the execution of men clearly convicted of an offence justly deserving death, should be forgotten: on the contrary, religion, morality, law, and policy, all recommend its being constantly pressed on our recollection.

having voted against it on a former occasion. When first the question was discussed in this Court, it appeared to me that the minds of Proprietors were under the influence of strong excitement created by the various exaggerated accounts which had reached this country concerning the affair at Barrackpore. While men's minds were under such influence, I thought it would be improper to grant papers on which motions affecting the character of individuals might be founded; but it never entered my mind that the papers should not be produced at some time, or that the affair should be buried in oblivion. I hope that oblivion will never enter a British heart, when the murder of four hundred individuals is concerned. I entirely concur in the view of the case taken by my hon. Friend, (Sir Charles Forbes,) which I hope he will allow me to call him, or, more properly speaking, the friend of the human race. I concur with him in thinking, that this subject will never be forgotten; and that it should never be given up as a subject of discussion until the whole of the papers are laid before the Court. For myself, I will add, that in a case where human blood has been shed, it shall never be said of me, that I consented to bury in oblivion the conduct of those by whose orders it has flowed, until I received the most satisfactory explanations of the causes which produced so disastrous a result. I do not mean to say, that I would consent to a vote of censure on the person by whom such orders were given, for I admit that those orders were called for by necessity. But then, I ask, such necessity having existed, what objection can there be to having the grounds of it made public? If that were once apparent, there would be our apology to the world for conduct which otherwise must be considered as a wanton outrage. I cannot conclude without again expressing my entire approbation of what has fallen from my hon. Friend, (Sir Charles Forbes.) I earnestly hope that he will follow up the course which he this evening has proposed to himself, and that he may long continue to be, what he has ever hitherto been, the true friend and humane protector of the native Indians.

Colonel BAILLIE.—I beg, as an old military servant of the Company, that I may be allowed to adduce the reasons which influence me in wishing that the present question should be set at rest for ever. The grounds on which I found this wish, and my opposition to the present motion, are, in some points, the very same which induced some hon. Proprietors to give it their support. I have heard it stated, that we should inquire into the conduct of the officers stationed at Barrackpore, and investigate the causes of the mutiny. Both of these things have been done; the cause of the mutiny has been ascertained; the guilt of the mutineers has been unequivocally established by the examination that took place on the subject. The accusers were tried by a competent tribunal; they were found 'guilty,' and capital punishment was awarded to some, others have experienced clemency, and it is now positively known that the remainder returned to a proper sense of their duty. Where, then, is the necessity for the additional inquiry desired? The great object which such a proceeding was at any time calculated to produce, was a prevention of similar events in future. But, Sir, I ask any man to look at the present state of the Company's troops in India. Let him take into consideration the zeal, discipline, and devotion to the Company's interests, (22) by which that army is

(22) The devotion to the Company's interests which the sepoy feels, depends entirely upon his rate of pay, and the continual supply of his good food and clothing. Let this be suspended but for one year, and his devotion would languish considerably. It is the pay, the batta, the rank, the staff allowances, the retiring pensions, that kindle devotion to the Company's interests in the officers. What do they feel about the monopoly of the China trade? or the traffic in salt and opium? or the patronage at the India House? or the questions of tonnage and shipping? or that of sales of indigo and pepper? or that of the proprietors' dividends? or, in short, any thing else in which the 'Company's interests' consist? Absolutely nothing. Throughout the service, 'John Company,' and the 'Grocers and Cheesemongers of Leadenhall Street,'

at the present day distinguished; and then say whether any more desirable effects can be expected to result from the most minute investigation. (*Hear, hear.*) I contend that the obedience and attachment of those troops put it beyond doubt, that whatever may have been the causes which produced the late mutiny, they are now altogether removed, and the confidence of our troops altogether restored. The devotion which marked the conduct of the troops during the late war, led to individual sacrifices highly honourable to the troops themselves, as well as eminently beneficial to the interests of the Company. What good, then, can it produce to renew an investigation already terminated, and to recal recollections which it ought to be the wish of every sincere friend of India to find were forgotten? (23) Can such an investigation convince the troops more firmly than they already seem to be, of the affectionate disposition which the Government entertains towards them, and of its earnest desire to attend to their wants and provide for their comforts? I feel perfectly convinced that it will not. What good then can it answer? We already know that a mutiny has taken place; we are aware of its causes; we know that those causes have been removed, and that the troops have returned to their duty. What more can we desire? I am old enough to recollect a case in our Indian army somewhat like the present. Certain troops, from some real or imaginary grievance, refused to obey their commanders. Recourse was had to immediate coercion. Other troops were collected round them; they were ordered to fire, and great numbers of the refractory soldiers fell. The others immediately submitted, and returned to their duty. The corps in which this occurred, was, I think, the 15th battalion, commanded by Captain Grant, in the Deccan. The affair took place almost under the eye of Lord Cornwallis. The officer whom he had selected for the command was a most trust-worthy individual, and I have never heard that any blame was attributed to him. Several of the revoltors were afterwards punished; the others, as I have already stated, returned to their duty, and nothing more was said upon the subject. Taking the whole of the circumstances connected with this case into my view, considering that good feeling is completely restored in the army, I think it would be much the wisest course to prevent any further inquiry. My hon. Friend and relative (Sir Charles Forbes) has pledged himself that he will from time to time submit motions upon this subject to the House of Commons. Now, without meaning any disrespect to him, I will pledge myself that, for the reasons I have already stated, I will always oppose him upon those occasions. (*Hear, hear.*)

Dr. GILCHRIST.—I am glad that the gallant Colonel has preceded me on this occasion, as there are some of his topics to which I am anxious to reply. The gallant officer deprecates further inquiry, because, as he alleges, our Native troops are already satisfied, and he therefore concludes that justice has been done. Now, with every respect for that gallant officer, I

are terms heard at every mess-table, as Colonel Baillie must well know, he living, no doubt, often heard and used them himself, before he became one of the sacred number. The devotion of the army is at its highest, when double full batta and prize-money are most abundant; and at its lowest, when clipping and curtailings, slow promotion and scanty pay prevail. The golden age, in which the first prevailed, is gone by: the iron age, in which the latter rules, is come; and the devotion of the army is diminished, as it inevitably must be accordingly.

(23) Why should they be forgotten if they were not painful? and why painful if the retribution was just? Few Englishmen endeavour to bury the recollection of the field of Waterloo in oblivion, though so many thousands were slain there; because they think these thousands were slain in a just and holy cause. If the slaughter at Barrackpore could be thought of with a feeling that it was one of just retribution, no one need wish to forget it, any more than the death of Charles I., Louis XVI., Ferdinand VII., or any other case of just sacrifice to the public good.

shall not take his assertion for a proof of that fact, because I believe him to be mistaken. Indeed I am firmly convinced that it will be an abandonment of our duty if we allow this subject to pass over without inquiry. For my own part, I will say, that while I live, move, and have a being, I will not allow my tongue to be in oblivion regarding it; (*a laugh*;) for in whatever light I view the question, I think that we ought to have the information before us. I do not ask for such information, because it may criminate the Governor-General, the Commander-in-Chief, or any other individual, for until the whole of the documents are before us, it will be impossible to say with whom the fault originated. For aught that yet appears before us, the whole affair might have originated in the ignorance of some interpreter, sent to address the Native troops, (*a laugh*;) and who, perhaps, after twenty years' experience, was unable to convey to them the orders he had received, or the communications sent by their commanding officer. I think it is as likely as any thing else, that it all may be traced to ignorance of the Hindoostance language; (*laughter*;) and it will be too bad if we allow Lord Amherst or Sir E. Paget to suffer from such ignorance. I do not know who the interpreter may have been; for aught I know, a relative of my own, but that is of no consequence; all I want is truth. Let the whole of the documents be laid before us, and then we shall be no longer in doubt on whom to cast the blame, if blame is to be cast at all. The gallant Colonel urges, as one objection to further inquiry, the zeal evinced by the Native troops in the Company's service, which he takes as a proof that they are now satisfied, and that no further inquiry should take place. But I think that this zeal may be accounted for in another manner. I do not deny what he has said about their return to duty, their discipline and obedience, but I believe that discipline and that obedience have arisen from the hope they entertain that this Court will do them justice; from the expectation they hold that when the affair comes to our knowledge, we will not delay inquiring into the slaughter of their comrades. (21) Some of those unfortunate men had been sent to work in chains in different parts of India, others had been subjected to capital punishment, and their bodies left as a prey to the fowls of the air. Is it possible that they can be satisfied that such treatment should be passed over? Can we suppose that they would wish that it should be ended without further examination? There is in human nature a disposition to inquire into the causes of such a singular outrage. It has been said that inquiry would cause dissatisfaction, but I contend that the surest way to excite discontent will be the attempt at concealment. We have been told by the gallant Colonel, that a court-martial had already been held, and that a minute investigation of all the circumstances attending the mutiny had been gone into by that tribunal; but what evidence have we that the interpreter at that court was acquainted with the Hindoostance language, or could give correct translations of what the Native witnesses said? I should like to have the examination of them, (*laughter*;) and perhaps I might be able to show that he was ignorant of the common words used in the articles of war, which I translated, though I never got sixpence for it. (*A laugh*.) I can assure this Court that I am a sincere friend to the interests of the Com-

(21) There is not perhaps one sepoy in the whole Indian army who knows any thing of the existence of such a body as the Court of Proprietors: certainly not one who is acquainted with their functions, powers, or practices, nor one who ever heard of or read a single line of their debates; the notion, therefore, that they look to them with hope for redress, must, we think, be rather what the benevolent speaker wishes than believes. Even our own soldiers, who reside among us, speak our language, read our papers, and mix with our people, do not look to Parliament for redress of their wrongs; and to an Indian sepoy, the very idea of a Court of Proprietors redressing his grievances would be perfectly unintelligible. Nevertheless, humanity requires that they should be redressed, whether he understands the how and why or not; and therefore all efforts to achieve this good are praiseworthy.

pany, though I possess but a small stake in it. (25) I have an earnest desire for the promotion of your best interests, and I will tell you, that you never can be secure of the approbation of the Native subjects unless you treat them kindly. While on this subject, I must observe, that the very worst policy that could have been pursued, was that of making our European troops instruments for punishing the mutineers; to allow them to hunt down the poor black fellows like beasts, and to destroy them in cold blood while they sought shelter in hedges and ditches. This is not the way in which we should conciliate the Natives to the British force. Experience should have taught us, before now, the impolicy of quarrelling with our best friends. I remember, when I was a young boy in Scotland, I was frequently in the company of an old man, (a Presbyterian,) and he used to advise me. Amongst other things, he used to say, 'My dear boy,' (*a laugh*), 'if ever you make money, keep it firmly; for when you part with your last shilling, you part with the best friend you have in the world;' (*a laugh*;) and then, continued Doctor Gilchrist, he used to repeat some verses. I believe they were original poetry, I never met with them anywhere else, to this effect:

'While fortune wraps you warm,
Friends will round you swarm,
Like bees around a honey pot;
But should you be thrown down,
Your friends would soon be gone,
And leave you to lie and rot.' (*A laugh*)

In the spirit of those lines, I would take the liberty of advising this Court not to throw away their best friends, which they will do if they alienate the affections of the Natives of India. As long as the Company possesses the good opinion of the people of that country, so long will their dominion be secure, but if once deprived of that support, it will be impossible their power can be lasting. (26) I know that the power of the Company in India, at this moment, is very great, but I know also that reverses may come, and it will be as well to make friends before such a change. Bonaparte was once a powerful monarch in Europe; thousands bowed to his shrine, but his fortunes became changed, his friends abandoned him in his fall, and now a little island belonging to the Company, forms, I may say, the sarcophagus which contains his mortal remains. The Company will do well to be wise in time, and not

(25) There are *no* interests of the Company that are worth the friendship of so benevolent a man as Dr. Gilchrist; *their* interests are merely the security of raising a sufficient sum of money, 'from the sweat of the Indians' brow,' to pay their dividends, maintain their extravagant establishments, and increase their power and patronage. The *Company* has no other interests than these; Dr. Gilchrist is friendly to the interests of the Natives of India,—to their participation in knowledge, wealth, power,—to the interests of liberty among his fellow-countrymen in India,—to their emancipation from slavery, and their exercise of all the rights of freemen. The interests of the Company are diametrically opposed to all these: and we will do Dr. Gilchrist the credit to believe that he is *not* friendly to them,—though, in the ardour of debate, such an expression might escape him.

(26) Then this is saying at once, that the Company and its Government—for the one is known only through the other in India,—do enjoy the good opinion of the people there; which we are sure Dr. Gilchrist must, on reflection, doubt. Sir John Malcolm has given a much more faithful picture of Indian feelings, in his speech delivered at the India House a year or two ago, in which he represented all the influential people in India as desiring nothing more than an opportunity to rise on their white tyrants, cut the throats of as many as they could, and expel the rest from the country—(See this remarkable speech of Sir John's, in the '*Oriental Herald*,' Vol. III. p. 9.)

drive from them those who would be their best friends in the hour of need. One step towards conciliating those friends, will be, to grant the paper now moved for, in order to lay the foundation of some future inquiry on the very important subject to which they refer.

Mr. TRANT.—Though the hon. Proprietor who brought forward this motion, gave no intimation that such a motion was intended, still I am not unprepared at this short notice, briefly to state the reasons why I oppose the production of those papers. In my opinion, every reason that sound policy can dictate, is in favour of our allowing the subject of the meeting to rest where it now is. Further comment or inquiry, in my opinion, would be extremely injudicious. In this view, I fully concur in every thing that has been said by the gallant Colonel. I agree with him, that an investigation having taken place in India, before a competent tribunal, which pronounced a sentence upon the mutineers, and the troops having subsequently returned to their duty, we ought not to allow the affair to be carried any further. Under the firm conviction that no good end can be obtained by the production of those papers, but that, on the contrary, their publication might be calculated to excite much mischief, I am prepared to give the motion my decided negative.

Mr. HUME.—The objections which have been urged to my motion are so various and contradictory, that I hardly know to which I should first give an answer. I am opposed by some hon. Proprietors on one ground and by others on grounds the very opposite. The hon. Chairman has adverted to an intimation which I gave in a former Court, that I would bring the question before the House of Commons, and remarked, that I had not fulfilled this pledge. He may rest assured that I have not given up the intention. My reason for not having brought it forward was this: it was intimated to me on authority which I could not doubt, that Sir Edward Paget was on his way to England, and that he would be able to give much information upon the subject. Relying upon this, I did not bring the question forward, being unwilling to do so in the absence of an individual whose conduct might be implicated. But the hon. Chairman is mistaken if he supposes that I have relinquished the matter altogether. As long as I can get my hon. Friend, Sir Charles Forbes, to second my motion, he may rest assured that I will not let the matter drop till the fullest investigation has taken place. The hon. Chairman says, that the House of Commons may discuss this matter, and publish the documents if they please, but that he would not undertake such responsibility. Was the hon. Director then prepared to say, that the House of Commons and not that Court, was the proper place for discussing important matters relating to their interests?

The CHAIRMAN.—I did not say so.

Mr. HUME continued.—It has been said that the House of Commons was the tribunal in which these matters might be discussed, and that they, of course, would publish the reports of the proceedings in India. If you are prepared to credit that the House of Commons, and not this Court, is the proper place for discussing the affairs of the East India Company, then the Directors ought at once to abdicate their situations, and give up their authority, for the adoption of such a course would be nothing short of a delegation of their powers to other parties. If this be the way in which you use your authority, I beg to assure you, that when the expiration of your charter arrives, I, for one, shall oppose the revival of that charter, because I shall feel that you have allowed the most important affairs of India to be discussed by the House of Commons, instead of being discussed by ourselves. The East India Company are the sovereigns of India, and it is their duty, while they possess that power, not to allow it to be exercised by others on their behalf; if they do so, I can venture to assure them that ere long they will lose it altogether. I have heard it urged against the present motion, that a court-martial has already pronounced upon the affair at Barrackpore;—that is no conclusive argument against the demand for the papers. I admit

but a court-martial may properly condemn a man to death for mutiny in the disobedience of his orders, but what I must know here is, what were the circumstances that led to this disobedience? This question the court-martial cannot have decided, and on that ground alone, I think we ought to have the information which I call for. I grant that the officers who gave orders to fire on the troops, felt regret at the necessity of taking that severe course, but I contend that where you invest men with an authority, by which, at a word, they may cause the destruction of thousands of your subjects, you ought to keep the strictest and most jealous watch over its exercise. That such power was exercised in the case before us, cannot be denied, and all I ask is, that you should lay before us the whole of the documents connected with that transaction, in order that we may see whether the authority exercised in the Company's name was, or was not, abused, or whether a different treatment of the troops would not have rendered such a course wholly unnecessary. I ask, if you once establish the precedent that thousands of your subjects may be put to death by the order of a single individual, and that all inquiry shall afterwards be prevented, what security have those subjects, or what security can you have, for the permanence of your power in India? I do not ask for those papers in order to find matter of crimination against any individual, but I wish to have it known, that the great power exercised in India in the Company's name, has not been abused, or that if it has, we shall not pass it over with impunity. I should wish to ask the hon. Director who says that justice has been already done, where he found that information? If in the papers for which I seek, then, I say, let them be laid before the Proprietors. The reason why I move for those papers is, in order to ascertain whether justice had been impartially dealt to all parties. A gallant officer (Col. Baillie) informed the Court that there must be an end to all inquiry, inasmuch as justice had been already done, and the matter set at rest.

Col. BAILLIE.—I beg pardon for thus interrupting the hon. Proprietor, but I do so because I wish to state, that I made the assertion that justice had been done, from my conviction that it was proved by the obedience and attachment of the troops to the Company. I think it no unfair assumption to take their discipline and obedience as so many proofs that they were satisfied with what had been done; (27) that being the case, I think no further investigation necessary.

Mr. HUME.—The gallant officer might give this explanation when I concluded, without thus interrupting me. One of his first remarks was, that there was no occasion for further inquiry, because, as he said, justice had been already done. Now, I must say, that this was begging the whole question. But let me take the gallant officer upon his own showing: I will admit for the moment, that the troops were as obedient as he had stated, still it does not follow that it was their opinion that justice had been done in the affair of Barrackpore. It yet remains to be seen, and the papers only can show it, that the severity used on that occasion was necessary. We ought to be informed of the causes of the mutiny, of the nature of the grievances complained of, and whether they had been removed. But without giving any information of this kind, the hon. Chairman and the gallant Officer are anxious to bury the whole in oblivion. I really am astonished how any body of men can concur in such a wish, in a case of this kind.

(27) By this rule, it might be inferred that the impressed sailors of the English navy, and the purchased slaves of the West Indies—to go no further for examples—are among the most *satisfied* people on earth; for where is discipline so perfect as among the one? or where obedience so complete as among the other? It is really a matter of surprise that the Directors cannot put up some one of their body from behind the bar, who, in the title he has to say, might contrive, even if he were not profound, at least to steer clear of absurdity.

The CHAIRMAN.—In using the word oblivion, I only repeated a wish which was expressed by the hon. Member himself.

Mr. HUME.—It is true, that I did express a wish that the matter should be forgotten, or, if you will so have it, buried in oblivion in India. But did I say that it should be passed over in this country? While I hoped it would be forgotten there, I said that justice, that an anxiety to prevent a recurrence of similar events, required that the Court should have the whole case before them. My hon. Friend, Sir C. Forbes, has treated this subject so ably, that I do not feel it necessary to occupy the Court much longer; but, before I conclude I may be allowed to ask you, if you refuse this inquiry, what security have you that the people will hereafter confide in your protection? Hitherto, it has been the impression of the people of that country, that whatever may be the conduct of your officers, however oppressive may be their acts, and however little they might hope for redress, they would at least be sure to find it on appeal to you. (28) If you wish to continue this feeling, if you wish to be in reality the protectors of your Indian subjects, I say let your sincerity be made apparent by the production of the papers now sought for. If you refuse this, it will be said, and not without reason, that you are afraid of their publication. If you do refuse them, I must not be blamed if, at the next Court, I shall state the whole of the information which has come to my knowledge upon this subject. The hon. Chairman has told us, that we ought not to attend to private communications. I agree that official documents are much to be preferred, if we could get them. (29) But, as I suppose they will be refused here, I must make use of that information which is within my reach. I must again repeat, that if you refuse those papers, it will be believed that you are afraid of their publication, it will be thought that you wish to protect certain individuals from the consequences of having caused the destruction of four or five hundred of your subjects, by withholding the documents upon which alone a correct judgment may be formed of their guilt or innocence.

The question was now about to be put, when—

Mr. HUME said, I am anxious that you should put the resolutions in that paper separately, because I feel that there may be many Proprietors who would be inclined to support a motion for the production of some part of the documents, while they may be opposed to others.

The CHAIRMAN.—I think the whole forms one motion, and that it must be put altogether.

(28) We fear Mr. Hume must labour under some misconception here: we never heard this impression from the lips, or saw it from the pen, of any Native of India; and the best proof that it is not thus general, is to be found in the fact, that appeals from injured Natives to the Company are most rare: and those to the King in Council almost equally so; while the thousands of injuries received, and pined over in hopeless silence every year, without any appeal whatever, is known to all who have ever lived in the country.

(29) Neither do we agree with Mr. Hume in this. Official documents are drawn up, in nine cases out of ten in India, by parties engaged in the transactions they describe, with no checks upon their veracity, and the strongest possible interest in concealment and falsification. Private communications cannot be worse, but, from the non-existence of the same biasing interests, may be better. The public press, however, is best of all; for there, all evidence may be confronted, sifted, scrutinized, and the wheat preserved when the chaff is winnowed away. This the Directors know too well, and, therefore, they reject it: while, as they declare private communications to be unworthy of credit, and withhold all public documents, they are pretty secure of their object, in having no information left, which they will admit as worthy of proceeding upon.

Dr. GILCHRIST.—If my hon. Friend wishes to have his resolutions put separately, let him move them in that manner, and I will second each.

Mr. HUME.—I think, that as the resolutions apply to the production of different documents, they ought to be put separately.

The CHAIRMAN.—I have read over the whole, and it appears to me to be one motion. The first part calls for the production of one document, and the rest follows on, without the heading of a separate resolution for other papers. I think, therefore, that the whole must be put as one motion.

Colonel BAILLIE.—If those resolutions are to be put separately, there may be a separate discussion upon each, and thus we shall be unnecessarily detained till a late hour; (30) the whole of the papers in your hands was produced by one speech, and therefore ought to be put all together as one motion. (31)

Dr. GILCHRIST.—I do not see why, if our duty requires it, we should not remain here to the latest hour.

Mr. HUME.—If it be the wish of the Court that the whole should be put together, I will not press it in any other way.

The CHAIRMAN now put the question; and, on the show of hands, declared that it was carried in the negative.

Mr. HUME.—I think the ayes have it.

The CHAIRMAN.—If the hon. Proprietor thinks so, he may divide the Court.

A division was called for; and Mr. Hume and Mr. Weeding were appointed Tellers. They declared the numbers to be,

For the motion.....	6
Against it.....	26
Majority.....	20

Captain MAXFIELD gave notice that, at the next Quarterly Court, he would move for the production of certain papers, showing the manner in which business was conducted at some of the Boards in India.

On the question, that the Court do now adjourn,

Mr. HUME said, that he had abstained a few moments back from objecting to the votes of the Directors on the motion at that time before them; but he thought that they ought not to have voted on that motion, as they themselves were in some respect to blame for not having continued the allowances, for the want of which it was said that the mutiny had arisen. (32) However, without

(30) Why so? they might adjourn to another day: but Colonel Baillie has no doubt sat in the House of Commons till four and five in the morning to be in at a division. To be sure, Bellamy's is above that comfortable debating room, and there are also galleries for occasional repose, which makes a great difference.

(31) We do not know whether the 'crown and collar of gold,' that should mark the 'second Daniel,' ought to be given to Mr. Weeding or Colonel Baillie. It would be a knotty point to settle the preference of their claims. This 'one speech, one motion,' has the charm of entire novelty, which is a rare quality now-a-days; it might be extended to 'no speech, no motion;' in cases where Directors sometimes get up to propose the adjournment of the Court, its thanks, and many other things, without condescending to offer a word of preface or preliminary.

(32) We have no doubt that, as here intimated, the *derotation* of the sepoys only grew cold because of scanty allowances, this being the mainspring of many other sorts of devotion also; but, for this very reason, the greater the blame of those who, for so trifling a consideration, could maintain that devotion to any degree of the moral thermometer they chose. As to the Directors ab-

dwelling on that point, he now gave notice, that at the next Quarterly Court, he would submit a motion on the subject of the mutiny at Barrackpore; and on that occasion he should feel it his duty to lay before the Court all the information which had reached him upon that subject.

The Court then adjourned.

CIVIL AND MILITARY APPOINTMENTS, PROMOTIONS, AND CHANGES, IN INDIA.

HAVING constantly desired to have this department of information laid before the readers of the '*Oriental Herald*,' in the most condensed and clearly-arranged form in which it could be presented, we have, after some experience and much consideration, come to the conclusion, that the alphabetical succession of names will effect this more completely than any other mode. It is, indeed, the only one which, without reading the whole matter through, will give the friends and relatives of civil and military officers, at a glance, immediate information as to whether any appointment, change, or promotion, has happened to the particular individual respecting whose fate or prospects they may be most deeply interested. By this arrangement, any name may be found in an instant, and the event attached to it will be found described in the fewest words,—including, however, all that is essential, and avoiding the endless repetitions which every other classification involves. It embraces, indeed, all the advantages which the index of a book has over a table of contents. The latter must generally be read entirely through, before the desired incident can be found; in the former, all that is required to be sought is the name, or word, descriptive of the incident, which the alphabetical division enables the reader to find in a moment of time.

To avoid the repetition of the names of the several Presidencies at full length, we have placed, in order to distinguish the three great divisions of the Company's service, a B to indicate that the change or appointment took place under the Government of Bombay, an M to show that it occurred under that of Madras, and a C to distinguish it as happening under the Bengal Presidency, the Government of which is at Calcutta, which distinctions will be always affixed, just preceding the date of each event.

The Births, Marriages, and Deaths in India, will be arranged on the same alphabetical plan; but there the names of the several *stations* under the respective Presidencies will be mentioned whenever known. Errors in the orthography of names, however, both of persons and places, will, no doubt, occasionally occur, being indeed sometimes unavoidable, but care will be taken to correct them by reference whenever possible.

We need hardly say that this plan of arrangement, though infinitely more advantageous to the reader, cannot fail to impose considerable labour on the part of the compiler to whom its collection and classification is intrusted; but in the hope that the change will be universally acceptable to those who consult our pages, we shall readily encounter the extra labour or expense which it may involve.

staining from voting on any question in which their own conduct is implicated,—the indecent eagerness with which five or six of that body, with the members of the Board of Control, and candidates for the Direction, attended, on a late Committee of the House of Commons, of which Mr. Hume was himself a member, to decide on charges brought by a petitioner against their servants and *themselves*—ought to satisfy every one, that as long as they *can* be their own judges in their own cause, they will be so; and this alone is a very strong proof of the great contempt in which they must hold the opinions of their countrymen, every class of whom, from the highest to the lowest, denounce this as a practice the most hostile to justice, and one which none but tyrants would ever seek to introduce into a free state.

- Adams, Brig. J. W., to command Eastern Frontier—C. June 10.
 Anderson, Capt., Maj. of Brig. to com. Muttra Agra Frontier—C. June 12.
 Alldin, J. J., Lieut.-Col.-Com. 48th N. I., trans. to Invalid Est., and app. Regulating Officer at Bhaugulpoor and Tirhoot—C. June 16.
 Andre, R. C., Major N. I., to be Lieut.-Col.—C. June 23.
 Anderson, P. C., Lieut. 64th N. I., app. to a corps of Pioneers—C. June 22.
 Andre, R. C., Lieut.-Col., to 7th N. I.—C. July 7.
 Abbott, P., Ensign, to 57th N. I., Dinapoor—C. July 8.
 Ainslie, J., Ensign, to 6th Ext. N. I., Dinapoor—C. July 8.
 Ashton, J. F., to be Lieut. Art., from 1st to 3d Batt.—M. June 19.
 Abdy, J. N., Capt. Art., from 2d to 1st Batt.—M. Aug. 3.
 Anderson, J., Sen. Capt. 16th N. I., to be Major—M. June 30.
 Archer, D., Ass.-Surg. with the Resident of Hyderabad—M. June 30.
 Andrews, A., Lieut.-Col. 45th N. I., furlough to Europe—M. June 2.
 Arnot, J. P., Ass.-Surg., furlough to Europe—B. July 14.
 Brownlow, Lieut. W., 46th N. I., Aide-de-camp to Gov.-Gen.—C. June 20.
 Bernard, R. N., Ass.-Surg. Civil Station of Benares—C. June 16.
 Burnet, Brig., to the command of Agra Div. from July 1.—C. June 12.
 Brown, J., Ass.-Surg. to afford med. aid to troops at Lohagang—C. June 13.
 Bamfield, Lieut. 56th N. I., Adj. to Mhairwarrah Local Batt.—C. June 13.
 Bowran, —, Ass.-Surg. to 2d Europ. Regt. at Cheduba—C. June 23.
 Bennett, T., Ensign, to do duty with 57th N. I. at Dinapoor—C. June 30.
 Brown, C., Ensign, to 53d N. I. at Bareilly—C. June 30.
 Barker, A., Ensign, from 25th N. I. to 2d Europ. Regt.—M. June 28.
 Bond, F., Ass.-Surg., from 34th, or Chicacole L. I., to 1st Europ. Regt.—M. July 29.
 Bond, F., Capt. Art., from 3d to 1st Batt.—M. Aug. 3.
 Blundell, F., Capt. Art., from 2d to 3d Batt.—M. Aug. 3.
 Beauchamp, M., Lieut. 2d N. I., furlough to Europe—M. June 13.
 Browne, —, Superin.-surg., re-appointed to Sirhind Frontier Division of the Army—C. July 3.
 Burlton, P. B., 1st Lieut. Art., from 3d Comp. 4th Batt., to 4th Comp. 5th Batt.—C. July 7.
 Beaumont, E. C. F., Ensign, to 4th Ext. N. I., Mirzapoor—C. July 8.
 Borraidaile, G., Ensign, to 46th N. I., Dinapoor—C. July 8.
 Buttenshall, W., Lieut. 7th N. I., to be Capt.—C. July 21.
 Bonham, G. W., Lieut. 25th N. I., furlough to Europe—C. June 16.
 Brown, J., Ass.-Surg., to afford med. aid to Resid. at Travancore—M. June 6.
 Balmain, A., Lieut.-Col., posted to 1st N. I.—M. June 2.
 Bradford, W. J., Capt. 35th N. I., Aide-de-camp to Com.-in-Chief—M. June 20.
 Barker, A., Cadet, to be Ensign—M. June 20.
 Bower, J., Cadet, to be Ensign—M. June 20.
 Bond, E., Capt. Art., from 2d to 3d Batt.—M. June 22.
 Birch, D. B., Ass.-Surg., to join 3d, or Palamcottah L. I.—M. June 22.
 Birley, D., Ensign, to 10th N. I.—M. June 22.
 Buckley, W., Ensign, to 18th N. I.—M. June 22.
 Butler, C. A., Ensign, to 18th N. I.—M. June 22.
 Bond, F., Ass.-Surg., to Zillah Chicacole—M. June 27.
 Babington, W. K., Ensign, from 39th to 17th N. I.—M. July 4.
 Chester, Lieut. C., 23d N. I., Ass. to Envoy at the Court of Ava—C. July 7.
 Crawford, W., Ass. to Magist. and Coll. of Saharunpore—C. July 6.
 Colvin, Capt., Eng. Superint. of Canals in Delhi—C. June 16.
 Christie, Lieut. J., 3d L. C., to be Adj.—C. June 10.
 Cartwright, E., Lieut.-Col. N. I., to be Lieut.-Col.-Com., June 23, and app. to 1st Europ. Regt.—C. July 7.
 Costley, W. R. C., Capt. 7th N. I., to be Major—C. June 23.
 Carr, —, Ass.-Surg., to do duty with H. M. 47th Foot—C. July 6.
 Crommelin, J. D., Lieut., Art., from 2d Comp. 2d Batt. to 1st Comp. 2d Batt.,—C. July 7.

- Campbell, A., Lieut., Art., from 3d Comp. 2d Batt. to 2d Comp. 2d Batt.—C. July 7.
- Croxtan, W., Lieut.-Col.-Com., from 34th to 3d N. I.—C. July 7.
- Cunningham, J., Maj.-Gen., from 1st Europ. Regt. to 48th N. I.—C. July 7.
- Cooper, J., Ensign, to 49th N. I., Benares—C. July 8.
- Cecil, G., Ensign, to 46th N. I., Dinapoor—C. July 8.
- Clark, C., Ensign, to 6th Ext. N. I., Dinapoor—C. July 8.
- Cookney, F., Ensign, posted as Junior Ensign to 26th N. I. at Canonpoor, —C. July 14.
- Conyngham, R. S. T., Ensign 25th N. I., permitted to resign the H. C.'s Service—C. July 26.
- Cooke, G. M., Capt., and Major of Brigade at Bahurpoor, furlough to Singa poor—C. July 26.
- Conolly, H. N., Ass. to Collect. and Magist. of Bellary—M. July 20.
- Cotton, H. C., Capt., Eng., to act as Superint. Eng. in Malabar and Canara, and Civ. Eng. in West Div.—M. June 2.
- Cotton, A. F., Lieut., Eng., to act as Civ. Eng. in Centre Div.—M. June 2.
- Cherry, P. F., Cadet, to be Cornet—M. June 20.
- Campbell, D. A., Lieut., Art., to 2d Batt.—M. June 22.
- Cubbon, M., Sen. Maj. 17th N. I., to be Lieut.-Col.—M. June 30.
- Coxe, R. F., Sen. Ensign 12th N. I., to be Lieut.—M. July 1.
- Cannan, J., Ensign, to 16th N. I.—M. June 30.
- Clay, H. P., Sen. Ensign 33d N. I., to be Lieut.—M. July 11.
- Claridge, T. M., Sen. Lieut. 43d N. I., to be Capt.—M. July 18.
- Cooke, T. W., Ensign, to 7th N. I.—M. July 26.
- Cleveland, S., Lieut.-Col., Art., from 4th to 2d Batt.—M. Aug. 3.
- Chambers, P., Lieut. 1st Europ. Regt., furlough to Europe—M. June 30.
- Cunningham, D., Lieut. 2d L. C., to be Capt. on new estab.—B. July 1.
- Catheart, C., Lieut. 10th N. I., to be Capt.—B. July 1.
- Davidson, J., Sub. Sec. to Board of Rev. in West. Provinces—C. June 29.
- Dart, W., Joint Magist. and Dep. Collect. at Bilasore—C. June 29.
- Dick, A., Judge and Magist. of Midnapoor—C. July 6.
- Davies, J., Capt. 3d Ext. N. I., Fort Adj. of Fort William—C. June 23.
- Duncan, —, Ass.-Surg. to 2d Europ. Regt. at Cheduba—C. June 23.
- Dunlop, W., Ensign, to 62d N. I., Benares—C. July 8.
- Davis, E. E., Ensign, to 46th N. I., Dinapoor—C. July 8.
- Dalrymple, F. R., Ensign, 7th N. I., to be Lieut.—C. July 21.
- Donaldson, W., Ass.-Surg. with 7th N. I. at Berhampoor—C. July 21.
- Dunbar, C. C., Cadet, to be Ensign—C. July 26.
- Dalmahoy, J., Ass.-Surg., Ass. Assay Master—M. June 6.
- Dickenson, J., Capt., Art., from 1st Batt. to 1st Horse Brigade—M. July 8.
- Deacon, C., Lieut.-Col.-Com., to have half share of Off Reckonings, from 17th April, 1826—M. June 27.
- Devermeaux, C., Sen. Ass.-Surg., to be Surgeon, June 27, and posted to 50th N. I.—M. July 5.
- Dyer, S., to be Superintending Surgeon—M. July 4.
- Dunant, E. L., Ensign, to 18th N. I.—M. June 30.
- Dardis, H. R., Ensign, to 18th N. I.—M. June 30.
- Dale, T., Sen. Ensign, 41st N. I., to be Lieut.—M. July 7.
- Drewry, —, Capt., Eng., relieved from the superintendence of Lieut. C. E. Faber, at Jaulnah, and to conduct the duties on his own responsibility.
- Edmonstone, W. A., Ass. Pol. Agent, and Superintendent of Ajmere—C. July 21.
- Ewing, Rev. R., District Chaplain at Dum Dum—C. July 13.
- Ebhart, B. W., Lieut. 10th N. I., to be Supernum. Sub. Ass. Commis. Gen.—C. July 14.
- Evans, J., Surgeon to 49th N. I.—C. July 20.
- Elder, J., Major 1st Europ. Regt., furlough to Europe—B. July 14.

- Frazer, —, Sec. to Board of Rev. in West. Provinces—C. June 29.
 Fell, Capt., Brig. Major, from Sirhind to East. Frontier—C. June 12.
 Fitzgerald, Capt., Rajpootana Field Force—C. June 12.
 Flower, C. J. R., Ensign, to 57th N. I., Dinapoor—C. June 30.
 Fane, W. J. J., to 1st L. C., Benares—C. July 8.
 Fergusson, J. F., Ensign, to 3d N. I., Lucknow—C. July 8.
 Forster, T. B., Lieut. 5th N. I., to be Mil. Sec. to Com.-in-Chief—M. June 13.
 Friith, C. H., Cadet, to be Ensign—M. June 20.
 French, F. F., Cornet, to 3d L. C., Arcot—M. June 22.
 Fyfe, W., Ensign, to 26th N. I.—M. June 22.
 Ferraers, C., Cornet, 3d L. C.—M. June 30.
 Fortescue, W. N., Ensign, to 10th N. I.—M. June 30.
- Guthrie, H., Assist. Surg. to Civil Station of Allahabad—C. June 16.
 Gilmore, H. C., Ensign 59th N. I. to be Lieut.—C. June 23.
 Goad, S. B. Cornet, 1st L. C., to be Lieut.—C. July 11.
 Gairdner, W. W., Capt., to be Sub.-Assist.-Com.-Gen.—C. July 11.
 Glass, E. B., Assist. to Collect. and Magist. of Masulipatam—M. July 6.
 Gardner, R., Assist. to Collect. and Magist. of Tanjore—M. July 20.
 Godfrey, J. R., Capt. 1st N. I. to be Dep.-Assist.-Quart.-Mast.-Gen. in the Ceded Districts—M. July 4.
 Grant, S. A. Lieut. 16th N. I., to be Adjutant—M. July 4.
 Greenwell, J. S., Ensign, to 18th N. I.—M. June 30.
 Grantham, G., Senior Ensign 43d N. I. to be Lieut.—M. July 18.
 Glynn, J. C., Ensign, to 7th N. I.—M. July 26.
 Goold, H., Lieut. 38th E. I., furlough to Europe—M. June 28.
 Gray, W., Lieut. 24th N. I., furlough to Europe—M. July 11.
 Graham, G., Capt. H. M, 2d or Queen's R. Regt. to be Aid-de-camp to the Governor—B. July 6.
- Hamilton, J., Cornet, to 9th L. C., Cawnpoor—C. July 8.
 Hume, K., Ensign, to 16th N. I., Barrackpore—C. July 8.
 Hardie, J., Assist.-Surg. medical charge of Oudipoor Residency—C. July 21.
 Hope, W., Lieut. 57th N. I., furlough to Europe—C. July 14.
 Harkness, H., Capt. 25th N. I., Sec. to Com. of Public Instruction—M. June 1.
 Home, Sir J., Bart., Head Assist. to Accountant-Gen.—M. June 29.
 Howard, S., Surg. to be 3d Memb. of Medical Board—M. June 20.
 Harriott, H. Cadet, to be Ensign—M. June 20.
 Hopkinson, C., Lieut.-col. 2d Batt. Art., to command Art. with Hyderabad Subsid. Force—M. June 22.
 Horne, A. R., Senior Ensign 17th N. I., to be Lieut., M. June 27.
 Highmoor, R. L., Capt. 5th L. C., to be Deputy Judge-Adv.-Gen.—M. July 7.
 Hughes, J. E., Ensign, to 7th N. I.—M. July 26.
 Hull, T. H., Ensign, 16th N. I.—M. July 26.
 Hamilton, F., Ensign, to 33d N. I.—M. July 26.
 Hopkinson, C., Lieut.-Col. Artill., from 2d to 4th Batt.—M. Aug. 8.
 Hockley, T. H. J., Capt., Art., from 4th to 2d batt.—M. Aug. 3.
 Hamond, G., Lieut. 50th N. I., furlough to Europe—M. July 7.
 Holland, E. W., Lieut. 9th N. I., furlough to Europe—M. July 11.
 Hoffman F. W., Lieut. 10th N. I., furlough to Europe—M. July 25.
 Hughes, R. M., Lieut., 12th N. I., Int. and Quart.-Mast. to be Adj.—B. July 6.
- Irnside, E., Ens., to 62d N. I., Benares—C. July 8.
- Jeffreys, J., Assist.-Surgeon, to have medical Charge of Civil Station of Furruckabad—C. June 23.
 Jones, J., Lieut., 46th N. I., to be Capt.—C. June 30.
 Jones, R. E., Cadet, to be Ens.—C. July 26.
 Jones, G., Capt. 32d N. I., to resume app as Maj. of Brig. in Northern Div. of Army—M. June 20.

Jameson, C., Assist.-Surg., to remain in the service of the Nizam—M. June 27.
Johnstone, A. B., Ens., to 16th N. I.—M. June 30.

Johnson, A., Lieut., 18th N. I., and 2d Assist. to Aud.-Gen. to be Sec. to Mil. Fund—B. July 18.

Knox, Brig.-Gen., to com. Div. of Army, on the Sirhind frontier—C. June 12.
Keily, W. B., Cornet, to 1st L. Cav., Benares—C. July 8.

Kitson, J., Capt. 23d N. I., to be Assist.-Adj.-Gen. to Lt. Field Div. of Hyderabad Subsid. Force—M. June 30.

Keighly, H. P., Capt. 3d L. Cav. to be Judge-Adv.-Gen. of the Army—M. July 4.

Kennedy, H. A., Ens. to 3d or Palamcottach, Lt. Infantry—M. June 30.

Kitchen, J., Capt. Art. from 4th to 2d batt., and to command Art. with Hyderabad Subsid. Force—M. Aug. 3.

Keene, F. B. B., Lieut. 8th N. I., furlough to Europe—B. July 8.

Lind, A. F., Collector of Futtchpore—C. June 29.

Lumley, J. R., Lieut.-Col.-Com. to be designated Brigadier, while commanding Meywar Field Force—C. June 9.

Leadbeater, Capt. 23d N. I., second in com. of Sirmoor batt.—C. June 9.

Lamb, W., Ensign, to 51st N. I., at Jubbulpore—C. June 30.

Lefevre, J. H., Ens. to 26th N. I., at Cawnpore—C. June 30.

Larnie, J. H., Assist.-Surg. to Blain's Local Horse—C. July 3.

Logie, W., Lieut.-Col.-Com., from 3d to 34th N. I.—C. July 7.

Lloyd, H. H., Ensign, to 49th N. I., Benares—C. July 8.

Lawrence, M. J., Ensign, to 46th N. I., Dinapore—C. July 8.

Lock, J., Ensign to 6th Ext. N. I., Dinapore—C. July 8.

Limond, R., to be Superintend.-Surg.—C. July 27.

Langstaff, 2., to be Superintend.-Surg.—C. July 17.

Lawrence, H. M., Lieut. Art., furlough to Europe—C. July 21.

Lambert, R., Lieut., posted to 16th N. I.—M. June 24.

Moore, M., Coll. of Land Revenue and Customs at Furruckabad—C. June 29.

Maxwell, R. W., Coll. of Jessore, Dep. Salt Agent, and Superintendent of S. E. Chokies—C. June 29.

Middleton, C. J., Judge and Magist. of Furruckabad—C. July 6.

McGaveston, Assist.-Surg., Civil Station of Meerut—C. June 6.

MacGeorge, W., 7th N. I., to be Lieut.—C. June 23.

Midford, W. W. W., Ens., 46th N. I., to be Lieut.—C. June 30.

Mercer, H. S., Assist.-Surg., to be Surgeon—C. June 30.

Macdonald, J. H., 1st Lieut. Art., from 5th comp. 5th batt. to 3d comp. 4th batt.—C. July 7.

Methven, A., Ens., to 41st N. I., Muttra—C. July 8.

Mitchell, W., Ens., to 42d N. I., at Barrackpore—C. July 8.

Macdougall, A., Ens., to 42d N. I., at Cawnpore—C. July 8.

Martin, T. D., Ens., to 4th Ext. N. I., at Mirzapore—C. July 8.

Mayhen, W., Ens., to 49th N. I., Benares—C. July 8.

McMahon, T., Cadet, to be Ens.—C. July 26.

Marriott, E., Cadet, to be Ens.—C. July 26.

Middleton, J. H., 1st Lieut. Art., furlough to Europe—C. July 26.

Macartney, J. A., Cadet, to be Ens.—M. June 20.

Maxwell, W. G., Assist.-Surg., to do duty at Fort St. George—M. June 20.

Mackenzie, D. H., Capt., Art., from 1st to 2d batt.—M. June 22.

Marshall, H. O., Ens., to 26th N. I.—M. June 22.

Mackworth, A., Lieut., H. M.'s 48th regt., Aid-de-Camp to Com.-in-Chief—M. June 27.

Macdonald, J. M., Cornet, to 3d L. Cav.—M. June 30.

Madden, J. M., Ens., to 10th N. I.—M. June 30.

Milnes, G. H., Lieut., 31st or Trichinopoly Lt. Inf., to 2d batt. Pioneers.—M. July 5.

Mark, J., Assist.-Surg., to do duty at Fort St. George—M. July 7.
 Martyr, J., Ens., to 7th N. I.—M. July 26.
 McGowan, T., Ens., 16th N. I.—M. July 26.
 Millar, J., Ens., from 27th to 43d N. I.—M. Aug. 1.
 M'Nair, J. C., Lieut. Art., from 1st to 2d batt.—M. Aug. 3.
 Mitchell, H. S., Ens., 22d N. I., furlough to Europe—M. June 30.
 Marsh, E., Ens., 10th N. I., to be Lieut., July 4, and appointed Assist.-Surg. of Bizaras to Poonah Div. of the Army—B. July 20.

Newnham, H., Second Member of Board of Revenue in Western Provinces—C. June 29.
 Nesbit, M., Ass.-Surg. to Civil Station at Shahjehanpore—C. June 16.
 Nicolls, Maj.-Gen., to be relieved from com. of Agra Division on the 1st of July—C. June 12.
 Newton, H. A., Capt. 66th N. I., to do duty with Kemaoon Local Batt.—C. June 30.
 Neave, W. A., Head Ass. to Principal Coll. and Magist. in the N. Div. of Arcot—M. June 29.
 Norinan, G., Capt. 9th N. I., to resume app. of Persian Interpreter to Hyderabad Subsid. Force—M. June 13.
 Newman, H., 1st Lieut. Art., from 3d to 1st Batt.—M. June 19.
 Nixon, J. W., Ensign, to 10th N. I.—M. June 22.
 Nepean, W. C., Lieut. 7th N. I., to resume duties of Cantonment Adj. at Wallajahabad—M. June 30.
 Nelson, R., Surg., from 15th to 2d N. I.—M. July 26.
 Nixon, J. W., Ensign, from 10th to 27th N. I.—M. July 31.

Ogilvy, —, Surg., to be Member of Medical Board—C. July 27.
 Oliphant, G., Capt. 22d N. I., furlough to New South Wales—C. June 15.
 Ogilvie, G., Sen. Capt. 17th N. I., to be Major—M. June 27.
 Ottery, C. G., Lieut. 30th N. I., to be Adj. to 2d Ext. N. I.—M. July 7.
 Owen, T., Surg., from 2d to 15th N. I.—M. July 26.
 Ottery, W. G., Cornet, to be Lieut.—B. July 1.

Patterson, C., Sup. of Salt Golah, at Sulkeah—C. June 29.
 Palmer, S. G., 2d Ass. to Board of Customs, Salt, and Opium—C. June 29.
 Patton, J. H., Ass. to Salt Agent in S. Div. of Cuttack—C. June 29.
 Pearson, T. H., Cornet, H. M.'s 11th Drags., to be extra Aide-de-camp on the Gov. Gen.'s Staff—C. June 23.
 Pattle, W., Capt. 1st L. C., to be Major—C. July 14.
 Pester, J., Lieut.-Col., from 18th N. I. to 1st Europ. Regt.—C. July 7.
 Peach, C., Lieut.-Col., from 7th N. I. to 5th Ext. Regt.—C. July 7.
 Peyton, W., Surg., First Member of Medical Board, permitted to resign H. C.'s Service—M. June 16.
 Pritchard, W., Surg., to be Second Member of Medical Board—M. June 20.
 Pashc, T. T., Capt. Art., from 1st to 4th Batt. of Art.—M. Aug. 3.
 Penny, P., Ensign, to 10th N. I.—M. June 22.
 Pigott, W. H., Ensign, to 10th N. I.—M. June 30.
 Pegson, B., Ensign, to 18th N. I.—M. June 30.
 Pritchard, H., Ensign, to 16th N. I.—M. June 30.
 Pollock, M. B., Ass.-Surg., to do duty at Poonamallee—M. July 7.
 Purton, —, Capt. Eng., relieved from the superintendence of Lieut. W. G. Nugent, in Mysore—M. July 14.
 Paget, J. E., Sen. Lieut. 2d Europ. Regt., to be Capt.—M. July 14.
 Poole, W., Ass.-Surg., to 3d Batt. Art.—M. July 18.
 Place, T. L., Ensign, 16th N. I.—M. July 26.
 Pringle, A. W., Capt., Dep.-Qr.-Mast.-Gen. at Poonah, to be Ass. Sec. to Mil. Board—B. July 12.

Richardson, T., Dep. Salt Agent, and Coll. of Land Rev. and Customs, Chittagong—C. June 8.

- Rankine, R., Ass.-Surg., Civil Station of Sarun—C. June 16.
 Ronald, J., Ass.-Surg., attached to Board of Rev. in Central Provinces—C. June 16.
 Rind, J. N., Surg., transferred to Invalid Est.—C. June 23.
 Ryley, J. S. G., Cornet, to 1st L. C. at Benares—C. July 8.
 Rice, J. G. A., Ensign, to 4th Ext. N. I. at Mirzapoor—C. July 8.
 Reynolds, H. C., Ensign, to 4th Ext. N. I., Mirzapoor—C. July 8.
 Raleigh, E. W. W., Ass.-Surg., to accomp. Gov.-Gen. to Upper Provinces—C. July 21.
 Robertson, J., Lieut. 2d Ext. N. I., furlough to Europe—C. July 21.
 Robb, S. C., Lieut. 22d N. I., furlough to New South Wales—C. June 16.
 Robley, J. H., Ensign, to 16th N. I.—M. June 22.
 Ryves, T. J., Ensign, to 18th N. I.—M. June 22.
 Rippon, D. F., Lieut. 8th N. I., to be Adj.—M. June 30.
 Reynolds, P. A., Lieut. 38th N. I., with Resident of Hyderabad—M. July 7.
 Rose, A. R., Ensign, to 7th N. I.—M. July 26.
 Rowley, W. H., Capt. 10th N. I., furlough to Europe—M. July 7.
 Reid, F. A., Lieut. 6th N. I., furlough to Europe—M. July 23.
 Scott, D., jun., Collect. of Burdwan. C. June 29.
 Stonehouse, Sir J. B., Bart., Collect. of Rajeshyc. C. June 29.
 Shuldham, Maj.-Gen., to command Cawnpore Div. of the Army. C. June 12.
 Shuldham, Capt.-Dep.-Ass.-Adj.-Gen. from the Eastern to the Sirhind Div. of the Army. C. June 12.
 Showers, S. G. D., Ensign 4th Ext. N. I. to be Lieut. C. July 27.
 Stokes, C. W., Ensign, to 57th N. I., at Dinapore. C. June 30.
 Shubrick, T. Maj.-Cav., to be Lieut.-Col. C. July 14.
 Sturrock, H., 2d Lieut. 31st, from 15th comp. 6th batt., to 1st comp. 2d batt. C. July 7.
 Simons, E., Lieut.-Col., from 5th Ext., to 18th N. I. C. July 7.
 Say, H. H., Ensign, to 57th N. I., at Dinapore. C. July 8.
 Smith, E. F., Ensign, to 28th N. I. C. July 8.
 Scott, A. C., Lieut., 2d Ext. N. I., furlough to Europe. C. July 14.
 Smith, G. A., Head-Ass. to Col. and Maj. of Rajahmundry. M. July 6.
 Stewart, F. P., Lieut.-Col., 40th N. I., to Paymaster of Stipends, at Vellore. M. June 2.
 Stirling, C., Surgeon, to be 1st Mem. of Medical Board. M. June 2.
 Simpson, W. H., Sen. Ensign 36th N. I. to be Lieut. M. June 20.
 Seton, R. S., Capt. Art. from 1st to 2d Horse Brigade. M. June 22.
 Simpson, G. W. Y., Lieut. Art. to 2d batt. M. June 22.
 Stewart, F., Sen. Lieut.-Col. 32d N. I. to be Lieut.-Col. Com. M. June 27.
 Stewart, G. M., Sen. Major, from 17th N. I., to be Lieut.-Col. of 32d, N. I. M. June 27.
 Scott, R., Col., to have half-share of Off- reckonings from the Gen. Treasury from April 17, 1826. M. June 27.
 Spence, N., Ensign, to 10th N. I. M. June 30.
 Sharp, W., Lieut. 8th L. C. transferred to Invalid Estab. M. July 21.
 Story, G., Capt. 37th N. I., furlough to Europe. M. June 30.
 Stephenson, M., Lieut. 36th N. I., furlough to Europe. M. July 7.
 Taylor, W., Ass.-Surg., to have charge of Medical Depot at Cawnpore. C. June 23.
 Torrens, R., Ass. to Collector and Salt Agent, 24 Purgunnahs.
 Temple, Ass.-Surg., to have medical charge of Salt Agency at Jessore. C. July 7.
 Twemlow, G., Lieut., Art., from 1st comp. 2d batt. to 3d comp. 2d batt. C. July 7.
 Tweedle, —, Cornet, to do duty with the 8th L. C. at Kurnaul. C. July 8.
 Tulloch, G. A., Ensign, to 33d N. I. M. June 22.
 Thullier, J., Sen. Lieut. 17th N. I., to be Capt. M. June 27.

- Fodor, W., Sen. Ensign 8th N. I., to be Lieut. M. June 30.
 Taylor, R., Ensign, to 7th N. I. M. July 26.
 Trail, J., Ass.-Surg., from 2d to 15th N. I. M. July 26.
 Tucker, J., Capt., 11th N. I., furlough to Europe. M. July 18.
 Trollope, W. H., Lieut. 42d N. I., furlough to Europe. M. July 21.
- Underwood, W. E., Ass. to Collect. and Magist. of Guntoor, M. July 20.
 Underwood, G. A., Lieut. of Eng., to be 1st Ass. to Chief Eng., and to act as Civil Eng. in southern Division. M. July 14.
 Underwood, J. J., Capt., to resume app. as Superin. Eng. in South. Division. M. July 14.
- Valpy, W. F., Collect. of N. Div. of Bundelcund. C. June 29.
 Vauls, H., Cornet, to 9th L. C., Cawnpore. C. July 8.
 Vertue, D., Ass.-Surg., with Resident of Hyderabad. M. June 30.
- Ward, J. P., Collect. of Banghulpoor. C. June 29.
- Walker, S., Lieut. 7th N. I., and Brev. Capt., to be Capt. C. June 23.
 Watson, J. E., Lieut. 59th N. I., to be Capt. C. June 23.
 Wilson, R. W., Lieut. 65th N. I., to be Capt. Brevet. C. June 30.
 Worrall, H. L., Lieut. 1st L. C., to be Capt. C. July 14.
 Whelar, W. F., Lieut. 48th N. I., furlough to Europe. C. July 13.
 White, H., Capt. 7th N. I., to resume his situation as Dep.-Ass.-Quar.-Mast.-Gen. in Centre Div. of Army. M. June 20.
 Wilson, H., Ensign, to 18th N. I. M. June 22.
 Wilkinson, J. Y., Ensign, to 10th N. I. M. June 22.
 Welsh, J., Lieut.-Col.-Com., to have half-share of Oil-reckoning from 17th April 1826. M. June 27.
- White, F. B., Sen. Lieut. 16th N. I., to be Capt. M. June 30.
 Watkins, W., Lieut. 36th N. I., to be Brevet Capt. M. June 30.
 Walker, H., Sen. Ensign 14th N. I., to be Lieut. M. July 4.
 Willim, H. J., Ensign, to 16th N. I. M. June 30.
 Wright, J., Ensign, 16th N. I. M. June 30.
 Welbank, R. T., Sen. Ensign 2d Europ. Regt., to be Lieut. M. July 14.
 Wilkinson, J., Ensign, to 16th N. I. M. July 26.
 Warren, T. H., Ensign, to 33d N. I. M. July 26.
- Yule, T. N., Cadet, to be Ensign. C. July 26.
 Yarde, H. T., Sen. Ensign 28th N. I., to be Lieut. M. July 21.
 Yarde, W. G., Ensign, to 7th N. I. M. July 26.

MADRAS ARMY.

GENERAL ORDERS BY GOVERNMENT, 13th JUNE, 1826

The Hon. the Governor in Council is pleased to publish to the army the following letter from Brigadier-General Cotton, on his retiring from the command of the Madras division of troops in Ava.

SIR,—The command of the Madras troops in Ava, which I had the honour to hold during the greater part of the war, having terminated by the ratification of peace between the British Government and the King of Ava, it is impossible for me to take a final leave of the distinguished body with whom I have been associated, without expressing to his Excellency the Hon. the Governor in Council, my sense of the zeal, gallantry, and discipline, which the troops from Fort St. George have displayed throughout a long course of arduous service.

2. It is not within the confined limits of a report possible to do justice to individual merit, but the exemplary conduct of every officer and soldier who has been employed, whether of his Majesty's regiments, or of the Hon. Company's European and Native troops, has been so conspicuous as to preclude

the necessity of selection, and to deserve that I should solicit to place my grateful acknowledgment of their services upon the records of Government.

3. The fatigues of the various campaigns, and their uncommon privations, have been cheerfully shared by all indiscriminately; but the patient endurance by the Native regiments of the vicissitudes of so novel a service, waiving the prejudices of caste, and the customs by which they have been influenced for ages, are beyond the measured terms of praise, and evince how well they have deserved the truly paternal care and indulgence of an enlightened Government, which have been extended with equal liberality to the European and the Native soldier.

4. The support which I have universally derived from Lieutenant-Colonels Armstrong, c.n., Brodie, Pepper, Godwin, and Parlbby, has been only equalled by the gallantry with which they have led their brigades whenever opposed to the enemy; and I hope I may be permitted to pay the tribute of regret for the loss of Lieutenant-Colonel Commandant Macdowall, Lieutenant-Colonel Conroy, and the remaining brave officers and men who have fallen in the execution of their duty.

5. I have had repeated occasion to bring to the favourable notice of the Hon. the Governor in Council the zeal and ability with which their respective departments have been conducted by Captain Hitchins, Deputy-Adjutant-General, and Captain Steel, Deputy-Quarter-Master-General; and I beg to repeat that they have always deserved my confidence.

6. The indefatigable exertions which have been exemplified by Superintending Surgeon Dr. Howard, and the subordinate medical officers, the regularity which has been preserved in the hospitals, and the professional skill which has been evinced, call for my best acknowledgments.

7. The Madras Commissariat under Captain Tulloch, Assistant-Commissary-General, has been remarked for its efficiency in all emergencies, and I mention him to Government as an able and zealous officer.

8. To Major Stock, and subsequently to Captain Tod, Paymasters, I am indebted for the attention and regularity with which the duties of the pay departments have been carried on.

9. Lieutenant-Colonel Hopkinson, commanding the artillery, and Lieutenant Underwood, Commanding Engineer, having been always employed with the officer commanding the combined forces, the acknowledgment of their valuable services rests with higher authority.

10. Having gone through the pleasing duty of expressing my sentiments of the gallantry and meritorious exertions of the Madras division of troops, I beg respectfully to offer my sincere thanks to the Hon. the Governor in Council, for the proud distinction of having been intrusted with so important a command, and to assure his Excellency, that the height of my ambition will be to find myself placed upon any future occasion in a post so flattering and so honourable.—I have the honour to be, Sir, your most obedient humble servant,

(Signed)

WILLOUGHBY COTTON, Brig.-Gen.

Calcutta, May 29th, 1826.

The Governor in Council deems it proper to repeat in general orders, the acknowledgment of Brig.-General Cotton's distinguished services in Ava, which have already been often conveyed to that officer. To zeal, judgment, and gallantry, and to the most active and unremitting attention to all the duties of his arduous and important command, Brigadier-General Cotton has united in a remarkable degree the faculty of carrying other men's minds along with him, and has brought the division under his orders to act with one heart and hand. The Governor in Council is persuaded that the sentiments expressed in the foregoing letter will be peculiarly gratifying to every individual both of the staff and in the line who served in that division.

The troops of this Presidency who were engaged in foreign service against the dominions of the King of Ava, have already been honoured by the approbation of the Governor in Council, and though this Government is sen-

sible that its praise cannot add any weight to that distinction, yet it is a grateful duty which it gladly discharges to follow the example of the Supreme Government in acknowledging the admirable military spirit displayed throughout the services in Ava and Arracan, by every officer, non-commissioned officer, and private of his Majesty's and the Hon. Company's troops, European and Native.

The expedition to Ava has been distinguished from every former expedition sent from India, by its duration, by its great privations, by difficulties of every kind arising from the climate and the nature of the country, by its constant harassing duties, and by its frequent conflicts with the enemy. The European troops, in meeting and overcoming all these obstacles, have nobly sustained the character of the British army. The Native troops have proved themselves worthy of fighting in the same ranks with European soldiers.

In many former instances, the Native troops of this presidency have cheerfully gone on foreign service; but in none has the spirit of enterprise been so high, and the devotion to the service so universal, as in the late war. No less than seventeen regiments, (the 1st, 3d, 7th, 9th, 10th, 12th, 16th, 18th, 22d, 26th, 28th, 30th, 32d, 34th, 36th, 38th, 43d,) besides the head-quarters and two squadrons of the 1st Light Cavalry, detachment of Golundauze and of gun Lascars, the head-quarters and four companies of the 35th Native Infantry, and head-quarters and seven companies of the 1st battalion Pioneers, actually proceeded to Ava and Arracan; two regiments more, (the 24th and 31st,) and the remainder of the 35th, were in readiness to follow. The orders for foreign service were received by all of them with enthusiasm. Whole regiments embarked without the deficiency of a man; and repeated instances occurred of extraordinary forced marches of parties absent from the head-quarters of a regiment about to embark, in order that they might not be left behind. Conduct so honourable to the Native army, so gratifying to the Government, does not cease to be of use with the occasion which called it forth; its influence will reach to future times, and it will long be regarded, both in India and in Europe, as a memorable example for imitation to the sepoys, and for emulation to the successors of those European officers who have made them what they are.

It is directed that this general order be translated and carefully explained to the Native officers, non-commissioned officers, and sepoys of every Native regiment in the service.

By order of the Honourable the Governor in Council.

(Signed) D. HILL, Chief Secretary.

BENGAL ARMY.

COPY OF DIVISION ORDERS, ISSUED BY MAJOR-GENERAL NICOLLS, COMMANDING 2D DIVISION OF THE ARMY.

Head-Quarters, Camp Bhurtpoor, 19th June.

Major-General Nicolls congratulates the division upon the triumphant and most glorious issue to which their labours, their zeal, and at last, their gallantry, have contributed to bring the contest for which the British Government brought the army into the field.

It has been no common struggle. Defences, men, and ample means were at the Rajah's command, and Bhurtpoor had a name which seemed to frown defiance.

All have yielded to British science, to our perseverance, to our discipline, and above all, to our valour.

The Major-General embraces the earliest opportunity of thanking all the corps which had the honour of being engaged yesterday, for the steady gallantry of their advance through the breach, and along the rampart, by which the enemy's cannon were secured, his force broken, and the Rajah himself compelled to fly before we occupied all the gates.

Such steady gallantry it is which leads to victory, or at least deserves it.

The dangerous wound received by Brigadier-General Edwards, may prevent his ever knowing how much and how sincerely his loss is deplored by Major-General Nicolls, and by the whole division. He fell in directing the advance of the leading companies of the storming column, and affording to those present a noble example of devotion to their country's cause.

The conduct of his Majesty's 59th regiment fully equalled the highest expectation the Major-General had formed upon an experience of two months, during which he has never imputed to them a single fault. He told them on going down, that 'England expected every man to do his duty;' they re-echoed the sentiment, and have nobly redeemed the pledge; the manner of doing it can never be effaced from his mind.

Major Fuller is earnestly requested to convey to his gallant corps, the Major-General's grateful thanks, and to receive them personally for his judicious and spirited conduct, which indeed was conspicuously evident in every officer who came within his observation.

The General would regret the heavy loss sustained by the 59th regiment, did his experience not inform him that great achievements are usually attended by heavy sacrifices.

To Lieutenant-Colonels Wilson and Baddeley, who commanded the columns which immediately followed his Majesty's 59th regiment, Major-General Nicolls begs to return his hearty acknowledgments; the handsome and animated advance of the two companies of the 1st European regiment was followed, indeed emulated, by the 31st Native Infantry, the Light Infantry 37th regiment, the 1st Grenadier of the 35th, and the Detachment Sirmoor Battalion; the service which fell to these troops was very essential, and it was gallantly and effectually performed.

Captains Orchard, Herring, and Mercer, and Lieutenant Fisher, are requested to receive the Major-General's best thanks for the exertions so cheerfully made by their respective detachments.

The narrow rampart did not allow of Brigadier Fagan's brigade sharing much in the glory of the day, but the Major-General observed in it a confidence and firmness that only sought direction and object. The Brigadier himself is an officer whom the Major-General would be proud and happy to have at his aid in an hour of danger and difficulty.

To Lieutenant-Colonel Blackney, Major Ward, and Captain Hawthorn, commanding 35th, 21st, and 15th Native Infantry, Major-General Nicolls offers his best thanks.

To his friend, Brigadier-General Adams, Major-General Nicolls is under many obligations for aid received during this service. He was compelled to place an officer on whom perfect reliance could be placed under any contingency, in charge of the reserve of the division; to this, and to his rank must the Brigadier-General attribute his being doomed on this occasion to follow, who has been so long accustomed to lead and to conquer.

The Major-General is greatly indebted to his division-staff, and to his personal staff, for the zealous manner in which they have assisted him on every occasion since he assumed charge of the division.

He assures Captain Anderson, Assistant-Adjutant-General, Captain Penny, Deputy-Assistant-Quarter-Master-General, Captains Carmichael and the Honourable Jeffery Amherst, that he will ever gratefully associate their services with his happiest remembrance of this proud day.

To Captain Carmichael he additionally offers the tribute of his thanks and admiration, for the neat, spirited and effectual manner in which he ascended the breach on the 17th, for the purpose of examining and reporting upon the nature and extent of the interior defences.

To Captain Colvin, Lieutenants Smith and Boileau, of the Engineers, General Nicolls offers his sincere acknowledgments for their conduct and

assistance: he regrets that the wound received by Captain Colvin deprived him of his aid so early in the day.

The Major-General is delighted to say that he has not heard of any instance to which he can attach the shadow of misconduct. On future occasions he recommends the corps employed to emulate their own example on this glorious morning, the officers always remembering that their honour consists in leading and directing with vigour, and the men anticipating victory whilst they follow with confidence in connected and compact bodies.

OFFICERS SERVING IN INDIA ADMITTED TO THE ORDER OF THE BATH.

(From the London Gazette.)

Whitchall.—Dec. 26, 1826.—His Majesty has been pleased to nominate and appoint Major-General Sir A. Campbell, Knight Commander of the Most Honourable Military Order of the Bath, to be a Knight Grand Cross of the said Most Honourable Military Order.

His Majesty has further been pleased to nominate and appoint Major-General T. Reynell, Major-General Jasper Nicolls, Major-General Sir S. F. Whittingham, Knight (Quartermaster-General), Companions of the Most Honourable Military Order of the Bath, to be Knights Commanders of the said Order.

His Majesty has also been pleased to nominate and appoint the undermentioned Officers belonging to his Majesty's Naval and Military Forces, to be Companions of the said Order:—Col. J. McCombe, 14th Foot; Col. Wilmoughby Cotton, 47th Foot; Lieut.-Col. George McGregor, 59th Foot (Acting Adj.-Gen.); Lieut.-Col. R. George Elington, 47th Foot; Lieut.-Col. John W. Mallet, 86th Foot (late 89th Foot); Lieut.-Col. William Smelt, 41st Foot; Lieut.-Col. Michael Childers, 11th Dragoons; Lieut.-Col. John William O'Donaghue, 47th Foot; Lieut.-Col. Henry Godwin, 41st Foot; Lieut.-Col. Hon. John Frach, half-pay Unattached; Lieut.-Col. Robert H. Sale, 13th Foot; Capt. Henry Ducie Chads, Royal Navy; Capt. Frederick Marryatt, Royal Navy; Lieut.-Col. William Futh, 38th Foot; Lieut.-Col. Francis Fuller, 59th Foot; Lieut.-Col. Matthias Everard, 14th Foot; Lieut.-Col. Cecil Bishopp, 14th Foot; Major James L. Basden, 89th Foot; Major Peter L. Chambers, 41st Foot; Major George Thornhill, 13th Foot; Major W. H. Dennie, 13th Foot; Commander G. F. Ryves, Royal Navy.

Whitchall.—Dec. 26th, 1826.—His Majesty has been pleased to nominate and appoint the undermentioned Officers, in the service of the East India Company, to be Companions of the Most Hon. Military Order of the Bath:—Lieut.-Col. Stevenson, 1st Regt. Bengal N. I.; Lieut.-Col. Ct. Fagan, 68th Regt. Bengal N. I.; Lieut.-Col. Edw. P. Wilson, 1st Bengal Europ. Regt.; Lieut.-Col. Wm. Richards, Bengal N. I.; Lieut.-Col. James Brodie, 18th Regt. Madras N. I.; Lieut.-Col. Thos. Whitehead, 41st Regt. Bengal N. I.; Lieut.-Col. Alex. Fair, 10th Regt. Madras N. I.; Lieut.-Col. Clements Browne, Bengal Artillery; Lieut.-Col. Edw. W. Snow, 23d Regt. Madras N. I.; Lieut.-Col. Alfred Richards, 34th Regt. Bengal N. I.; Lieut.-Col. Steph. Nation, 23d Regt. Bengal N. I.; Lieut.-Col. Brook B. Parlbv, 30th Regt. Madras N. I.; Lieut.-Col. Charles Hopkinson, Madras Artillery; Lieut.-Col. John Delamain, 58th Regt. Bengal N. I.; Lieut.-Col. Geo. Pollock, Bengal Artillery; Lieut.-Col. Henry S. Pepper, 6th Regt. Bengal N. I.; Lieut.-Col. Wm. C. Baddeley, 20th Regt. Bengal N. I.; Lieut.-Col. Jas. Wahab, Madras N. I.; Lieut.-Col. Jas. Skinner, Bengal N. Irregular Cav.; Major Cornelius Bowyer, 60th Regt. Bengal N. I.; Major Rich. L. Evans, 22d Regt. Madras N. I.; Major Wm. L. Watson, 43d Regt. Bengal N. I.; Major Geo. Hunter, 41st Regt. Bengal N. I.

BIRTHS.

- Albany, Mrs. E. G. of a daughter, at Trichinopoly, July 21.
 Arathoon, the lady of J., Esq., of a daughter, Madras, July 25.
 Athill, the lady of Lieut. S., Hon. Company's Engineers, of a son and heir, at Mhow, July 11.
- Burnet, the lady of H. G., Esq., of a son, at Agra, June 1.
 Blunt, the lady of W., Esq., of a son, at Balasore, June 25.
 Bryant, the lady of Lieut.-Colonel, Deputy Judge-Advocate-General, of a son, at Calcutta, June 28.
 Brails, the lady of Quart.-Master, of H. M.'s 47th regt., of a daughter, July 3.
 Burrigge, the wife of Mr. J., of H. C.'s Marine, of a son, at Allipore, July 7.
 Barwell, the lady of C. R., Esq., of a son, at Allipore, July 15.
 Barfoot, the wife of Mr. T., of a daughter, at Calcutta, July 24.
 Boyce, the wife of Mr. C., of H. C.'s Marine, of a daughter, July 27.
 Bacon, Mrs. J., of a son, at Madras, July 2.
 Barker, Mrs. T., of a daughter, at Madras, July 14.
 Byrne, the lady of H., Esq., of a son, at Madras, July 25.
 Billamore, the lady of Lieut.-Assist.-Revenue-Surveyor, of a son, at Bombay, July 3.
 Bird, the lady of R. W., Esq., of a daughter, at Gorruckpoor, June 2.
- Cologne, the lady of A., Esq., of a son, at Calcutta, June 22.
 Clarke, the lady of L., Esq., Barrister-at-law, of a son, at Calcutta, June 27.
 Cox, the lady of Mr. J., of a son, at Calcutta, July 11.
 Childs, the wife of Mr. J. E., of a son, at Madras, July 22.
- Delamain, the lady of Lieut.-Col. J., 58th N. I., of a son, at Agra, June 30.
 Drew, the lady of J., Esq., C. S., of a daughter, at Calcutta, July 28.
 Dent, the lady of J., Esq., C. S., of a son, at Calcutta, June 18.
- Ellis, the lady of E. S., Esq., of a daughter, at Calcutta, July 24.
 Eason, the wife of H., Horse-Brigade, of a daughter, at Kamptee, June 26.
- Fitzgerald, the lady of H., Esq., of a daughter, Lollunge, Singhen, July 7.
 Fleming, the lady of R., Esq., of a son, at Calcutta, July 21.
 Fink, Mrs. J. C., of a daughter, at Chittagong, July 23.
 Fenn, Mrs., of a son, Cottagam, June 29.
- Greville, the lady of Capt. G. M., 16th, or Queen's Lancers, of a son, in Bengal, June 28.
 Gulham, the lady of F., Esq., of a daughter, St. Thomas's Mount, July 11.
 Gordon, Mrs. C. P., of a daughter, at Kilpauk, Aug. 7.
 Grant, the lady of Capt. C. St. J., Nizam's Cavalry, of a daughter, at Hingolee, July 16.
- Hawes, the lady of W., Esq., of a son, at Mullge, in Tirhoot, July 8.
 Hickman, the lady of E., Esq., Ass.-Surg., of a daughter, at Calcutta, July 8.
 Hunter, the lady of Capt., of a daughter, at Kamptee, June 9.
 Harvey, the wife of Mr. J. T., of a son, at Madras, July 9.
 Hutchison, the lady of Capt. G., Trichinopoly Light Infantry, of a son, at Tranquebar, July 13.
 Harington, the lady of W., Esq., C. S., of a son, at Chittoor, Aug. 6.
 Home, the lady of Capt. R., of a son, at Benares, June 8.
- Jones, the lady of Capt. J. S., 5th N. I. of a daughter, at Almora, July 5.
 Jones, the lady of W. A., Esq., C. S., of a daughter, at Surat, July 14.

- Murray, the lady of Lieut. A., of H. M.'s 59th regt. of a daughter, at Dinapore, May 23.
Maddock, the lady of Capt., Sec. to Clothing Board, of a son, at Calcutta, June 28.
Mackay, Mrs. J., of a son, at Sulkeah, July 1.
Magniac, the lady of L., Esq., C. S., of a daughter, at Dacca, July 5.
Moore, Mrs. J., of a son, in Bengal, July 12.
Marr, the wife of Mr. A., of a son, at Barrackpoor, July 12.
Mowat, the lady of Dr. M. D., of a daughter, in Fort William.
Morris, the lady of J. C., Esq., C. S., of a son, at Woodville, on the Nilgherry Hills, July 4.

Nagle, the wife of Mr. J., of a son, Madras, July 23.
Naylor, the lady of Lieut. and Adj., 89th regt., of a daughter, in Fort St. George, July 28.

Petrie, the lady of, M., Esq., of a son, at Calcutta, July 14.
Poulton, the lady of Capt. 5th N. I., of a son, at Belgaum, June 23.
Purton, the lady of Capt., Engineers, of a daughter, at Arcot, Aug. 2.

Reynolds, the lady of Capt., 63d regt., of a son, near Peerpointz, June 30.
Ricketts, the lady of M., Esq., of a son, at Lucknow, July 6.
Ricketts, the lady of R. R., Esq., 48th N. I., of a son, at Bolarum, Hyderabad, June 10.
Ross, the wife of Mr. D., revenue surveyor, of a daughter, at Bellary, July 8.
Rhenius, Mrs., of a son, at Palamcottah, July 14.
Russel, the lady of G. E., Esq., of a son, at Madras, July 24.

Sandys, the lady of G., Esq., 6th Cavalry, of a son, at Jaulnah, June 25.
Sharbeb, Mrs. C., of a daughter, at Bellary, Aug. 2.
Smith, the lady of the late Dr. H., M. D., of twins, a boy and girl, at Cawnpore, June 7.
Smallpage, the lady of Capt. J., Maj. of Brig., of a daughter, at Lucknow, June 11.
Shaw, the lady of J., Esq., Civil Service, of a son, at Burrisaul, June 15.
Shuldham, the lady of Capt., Dep.-Assist. Adj.-Gen., of a daughter, at Dacca, July 7.
Staig, Mrs. David, of a son, at Calcutta, July 18.
Siret, Mrs. M., of a son, at Calcutta, July 22.
Sarita, Mrs. G., of a son, at Serampore, July 24.
Streatfield, the lady of Maj., H. M.'s 87th regt., of a daughter, at Calcutta, July 28.
Strahan, the lady of Capt. W., Assist.-Quart.-Mast.-Gen. of the army, of a son, still-born, at Madras, June 15.
Smith, the lady of E. J., C. S., of a son, at Sylhet, July 1.

Thompson, the lady of G. P., Esq. of a son, at Tipperah, June 9.
Thompson, the lady of Lieut. G. W., H. M.'s 30th regt., of a son, at Secunderabad, June 12.

Whittenberg, Mrs. T. P., of a daughter, at Calcutta, July 9.
Wiguelin, the lady of G. G., Esq., of a daughter, at Dacca, July 11.
Wilkins, Mrs. W. W., of a daughter, at Madras, June 17.

Young, the lady of D. S., Esq., Madras Medical Estab., of a son, at Aurungabad, June 27.

MARRIAGES.

- Bruce, Jun., Mr. Wm., son of Joseph Bruce, Esq., of Ghazepore, to Harriet, eldest daughter of Mr. Wm. Terry, of Clapham, Surrey, by the Rev. Wm. Dealtry, B. D., F. R. S., at Clapham, Dec. 28.

Colebrooke, Lieut. J. U., 43d N. I., to Miss J. M. Balfour, at Madras, June 29.
Campbell, Lieut. J., 33d N. I., to Barbara Adair, fourth daughter of the Rev. A. Laurie, D.D., minister of the parish of Loudon, Ayrshire, at St. Thomé, July 10.

Dudman, E., Esq., agent to Messrs. Mercer and Co., Chipmarow Factory, to Louisa Elizabeth, eldest daughter of the late C. Titley, Esq., indigo planter, at Futtoghur, June 26.

Durand, Mr. F. W., youngest son of D. Durand, Dean of Guernsey, to Elizabeth Theresa, fifth daughter of J. Savi, Esq., of Moisingunge, Kishnaghur, July 18.

Frazer, Lieut.-Col. J. S., to Miss Henrietta Stevenson, at Cuddalore, July 12.

Field, J. T., Esq., to Miss Arabella Nash, at Calcutta, July 28.

Green, Mr. R., Med. Dep., to Miss F. Dashwood, eldest daughter of the late Capt. R. Dashwood, H. M.'s 80th regt., at Vepery, July 29.

Graeme, Lieut. C. H., 5th L. Cav., to Sarah, second daughter of the late Lieut.-Col. R. Brice, Madras Estab., at Trichinopoly, Aug. 2.

Gillespie, Capt., Aid-de-Camp to the Gov.-Gen., to Miss Casement, at Calcutta, June 26.

Hands, F. W., Esq., 58th Madras regt., to Miss Agnes Leach, Nagpore, June 15.

Jeffreys, J., Esq., of the Hon. Comp.'s Med. Estab., to Ellen, second daughter of J. Dougan, Esq., of London, at Meerut, July 1.

Kelly, Mr. W., to Charlotte, daughter of the late Mr. C. L. Battles, at Madras, July 8.

Lee, Lieut. H., 11th N. I., to Miss Innes, at Madras, June 28.

Mounsell, Lieut.-Col. G., to Charlotte Barclay, daughter of the late J. D. White, Med. Board, at Vellore, June 17.

McCurdy, Capt. E. A., to Eliza, second daughter of Maj.-Gen. H. Hall, commanding the southern division of the army, at Trichinopoly, July 3.

Mitchell, Lieut. W. S., 22d N. I., to Eliza, daughter of the late G. Barnes, Esq., of Armagh, Ireland, at St. Thomé, July 15.

Miller, Dr. H. H., to Margaret, second daughter of Mr. M. Lyons, at Calcutta, June 10.

Metcalf, T. T., Esq., Civil Service, to Miss Browne, eldest daughter of J. Browne, Esq., Superint. Surg., at Delhi, July 13.

Plowden, Capt. F., 20th N. I., to Miss Augusta Maria, eldest daughter of the late Capt. Wickeda, of the Danish service, at Tranquebar, July 31.

Pellow, Mr. J., to Aurora, eldest daughter of Mr. J. Caban, at Madras, July 31.

Perry, Maj., 31st N. I., to Miss Read, daughter of Lieut.-Col. Read, Dep.-Quart.-Mast.-Gen. to H. M.'s Forces in India, at Madras.

Pratt, Mr. A., to Mrs. A. Desmond, widow, at Calcutta, July 10.

Proby, Rev. J. C., H. C. Chaplain, to Lydia Martyr, fifth daughter of the late Rev. Dr. Brown, Sen. Chaplain of Calcutta, at Calcutta, July 18.

Stark, Mr. J., of Gen. Post Office, to **Miss E. Mackintosh**, Calcutta, June 27.
Stainforth, H., Esq., Civil Service, to **Isabella**, daughter to Lieut.-Col
Frazer, formerly of the Bengal Cavalry, at Calcutta, July 3.

DEATHS.

Asken, T., Esq., merchant and agent, aged 52, at Calcutta, July 20.

Barney, G. R. B., son of **R. B. Barney**, Esq., Civil Service, aged 14 months, at
Bauleah, June 8.

Bird, Jane Penelope, infant daughter of **R. M. Bird**, Esq., at Gorruckpore,
June 9.

Bower, Col. H., 14th regt., the infant daughter of, at Lucknow, June 10.

Bowser, Sarah, wife of Mr., head mast. of lower orphan school, aged 25, at
Allipoor, June 13.

Belts, L., Esq., **Cecilia**, youngest daughter of, aged 8 months, at Calcutta,
June 22.

Baine, Master R., at Calcutta, June 30.

Bradford, E., Esq., of the Civil Service, aged 25, at Boolinsheher, July 8.

Bird, Lieut. and Adj. R. J., 8th N. I., of cholera, in camp at Jaulnah, June 14.

Bell, Katherine, wife of **A. Bell**, Esq. Civil Service, at Surat, June 6.

Bell, A. B., infant son of **A. Bell**, Esq. C. S., at Surat, July 2.

Cox, Lieut. G. H., **Eliza Maria**, daughter of, aged 10 months, in Fort-Wil-
liam, June 14.

Corbyn, Emma, infant daughter of **F. Corbyn**, Surg., at Allahabad, June 28.

Chiene, Mr. G., the daughter of, aged 3 years, at Sulkea, July 6.

Cosby, Capt. P., Mil. Sec. to the Com.-in-Chief, aged 27, Madras, June 12.

Clendon, Lieut. T., 41st N. I., at Belgaum, June 26.

Cheyne, Dr. C. C., of the Nizam's Estab., at Aurangabad, July 6.

Debreth, Miss M. A., aged 33, at Calcutta, June 26.

Elly, P., eldest son of **Mr. J. Elly**, of cholera, at Patna, June 9.

Elias, D., Esq., merchant, aged 65, at Dacca, July 18.

Fairweather, Mr., ship-builder, aged 28, at Sulkea, June 27.

Fielder, Capt. R. S., of the country service, aged 34, at Calcutta, July 3.

Falconer, A., Esq., of Belrabary, at Rampore Bowleah, July 21.

Forth, Mr. W., on the river Hooghley, on his way to Calcutta.

Gall, Lieut.-Col., 8th Bengal L. Cav., of fever, at Kurnaul, June 26.

Hill, Anne, daughter of the late **Capt. J. Hill**, of the country service, aged 2
years, July 8.

Hill, Mary, infant daughter of the **Rev. J. Hill**, of Union Chapel, at Calcutta,
July 11.

Harding, Mrs. Louisa, relict of the late **J. B. Harding**, Esq., at Calcutta,
July 20.

Haley, R., Esq., owner of the ship **Arethusa**, aged 54, at Calcutta, July 20.

Levasche, Mr. J. F., at Patna, June 8.

Mackean, J., Esq., of the firm of Messrs. **Boyd, Beeby, and Co.**, aged 27, at
Calcutta, June 20.

Moberly, G. W. F., second son of Capt. Moberly, Dep.-Sec. Mil. Board, at Madras, June 14.
 Meppen, Louisa Ann, fifth daughter of R. W. Meppen, Esq., at Pulicat, July 13.
 Morley, J. T., infant son of J. Morley, Esq., of cholera, at Colabah, July 14.
 Manwaring, Commodore W., H. C.'s marine, aged 68, at Byculla, Bombay, June 17.

Pereira, Mr. J., of the Arracan fever, aged 26, July 16,
 Purvis, Capt. J., aged 31, of consumption, at Chittagong, July 21.
 Pepper, Lieut.-Col. H. H., aged 43, of a disease contracted in Pegu, at Madras, July 25.
 Palin, Capt. T., Assist.-Sec. to Mil. Board, aged 41, of epidemic cholera, at his house at Mazagon, June 29.

Robeiro, Mrs. R., mother of Mrs. J. Elly, of cholera, at Patna, June 11.
 Radcliffe, Mr. George, youngest son of, at Patna, June 14.
 Rodrigues, Mr. J. F., son of Mr. A. Rodrigues, assistant at the General Post-office, Calcutta, June 20.
 Rodrigues, W. A., son of Mr. F. Rodrigues, Calcutta, June 25.
 Row, J., Esq., Assist.-Surg., Henry Cox, infant son of, at Benares, July 5.
 Ross, J. M., son of the late Capt. T. Ross, of the country service, aged 17, at Howrah, July 14.
 Richardson, G., Esq., Civil Service, commercial resident at Rungpore, at Berhampore, July 21.

Sandon, Mrs. B. M., wife of Mr. J. H. Sandon, H. C.'s marine, Calcutta, June 8.
 Savi, J. H. Esq., infant son of, at Coobbariah Factory, June 11.
 Smith, Maria, third daughter of, Mr. W. Smith, of the Political Department, aged 12, at Calcutta, June 26.
 Swaine, Matilda Caroline, infant daughter of Mr. J. F. Swaine, at Calcutta, June 30.
 Savage, Mrs. C. L., aged 40, at Calcutta, July 7.
 Stonehouse, Laura, the eldest daughter of T. V. Stonehouse, Esq., in her 6th year, at Madras, July 16.
 Stonehouse, J. P., only son of T. V. Stonehouse, Esq., in his fifth year, at Madras, June 23.
 Spring, W. R., son of the Rev. F. Spring, chaplain, at Madras, July 21.
 Swayne, Lieut.-Col. commanding Arnee, aged 41, at Arnee, July 25.

Tomkyns, Master John, at Sulkea, June 22.

Vallentee, Charles, infant son of Mr. J. Vallentee, at Gya Bahar, June 22.
 Vaughan, Mrs. J. L., wife of C. M. Vaughan, Esq., at Chandernagore, July 24.
 Vernon, Mrs. P., relict of the late Lieut.-Col. J. R. Vernon, H. C.'s Service, on the Madras Estab., at Palaveram, July 16.

Wells, R. Esq., Civil Service, aged 25, at Delhi, June 3.
 Wallace, the infant son of Capt. J., 46th N. L., post-master, Doonab field force, at Belgaum, June 15.
 Wilson, Ann, wife of Maj.-Gen. Wilson, aged 32, at Bombay, July 27.

SHIPPING INTELLIGENCE.

ARRIVALS FROM EASTERN PORTS.

Date. 1827.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date. 1826.
Jan. 5	Off the Wight	Merrimac ..	Condry ..	Batavia ..	Aug. 11
Jan. 10	Off Dover ..	Charles ..	Davis ..	Batavia ..	Sep. 20
Jan. 10	Off Weymo.	Q. of Netherlands	Vaa Vliet	Batavia ..	Aug. 25
Jan. 15	Downs ..	Darius ..	Bowen ..	Bombay..	Aug. 7
Jan. 15	Downs ..	Jessie ..	Winter ..	Cape ..	Nov. 6
Jan. 16	Downs ..	Arethusa ..	Hamilton	Singapore	Aug. 20
Jan. 22	Off Plymouth	Eliza Jane ..	Hare ..	Mauritius	Oct. 6
Jan. 22	Texel ..	Harmonie ..	Staffus ..	Padang ..	Sept. 5

ARRIVALS IN EASTERN PORTS.

Date. 1826.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
July 23	Bombay ..	Charles Forbes ..	Clarke ..	China
Aug.	Penang ..	Marquis Camden ..	Fox ..	London
Aug. 1	Singapore ..	London ..	Southey ..	London
Aug. 15	Singapore ..	Wm. Fairlie ..	Blair ..	London
Sep. 21	Mauritius ..	Penelope ..	Christie ..	London
Sep. 21	Mauritius ..	Prince Regent ..	Richards ..	Cork
Sep. 28	Mauritius ..	Burrell ..	Metcalf ..	Plymouth
Oct. 1	Mauritius ..	H.M.S. Sparrowhawk	Pilkenthorpe ..	Portsmouth
Oct.	Mauritius ..	Diadem ..	Edmonds ..	London
Oct.	Mauritius ..	Valleyfield ..	Johnson ..	London
Oct. 7	Santa Cruz ..	Admiral Cockburne	Cutling ..	London
Oct. 28	Cape ..	Hebe ..	Elsdon ..	Downs
Oct. 31	Cape ..	Britannia ..	Walker ..	Downs
Nov. 6	Cape ..	Sophia ..	Barclay ..	London
Nov. 10	St. Helena ..	Darius ..	Bowen ..	Bombay
Dec. 18	Madeira ..	Elizabeth ..	Collins ..	Plymouth
	Manilla ..	Hougua ..	Dumaresque ..	Downs

DEPARTURES FROM EUROPE.

Date. 1826.	Port of Depart.	Ship's Name.	Commander.	Destination.
Jan. 4	Deal ..	Madeline ..	Cochlan ..	Mauritius
Jan. 5	Off Dartmo.	Bridgewater ..	Manderson	Bombay & China
Jan. 6	Deptford ..	C. of Harcourt	Harrison ..	New South Wales
Jan. 17	Deal ..	Denmark Hill..	Foreman ..	New South Wales
Jan. 17	Portsmouth..	Cæsar ..	Watt ..	Cape, Madras, &c.
Jan. 17	Plymouth ..	Lowther Castle	Baker ..	Bombay & China
Jan. 17	Portsmouth..	Thames ..	Warning	Bengal
Jan. 17	Portsmouth..	Atlas ..	Hine ..	St. Helena, &c.
Jan. 17	Deal ..	Craigievar ..	Ray ..	Cape & Mauritius
Jan. 17	Deal ..	Marcelly ..	Crews ..	Bengal
Jan. 19	Penzance ..	Sir Edw. Paget	Geary ..	Madras and Bengal
Jan. 19	Isle of Wight	Harriet ..	Hindley ..	Bengal
Jan. 21	Isle of Wight	Herefordshire ..	Whiteman	Bengal & China
Jan. 21	Deal ..	Duke of York..	Locke ..	Bengal & China
Jan. 21	Isle of Wight	Repulse ..	Gribble ..	Bengal & China
Jan. 21	Portsmouth..	General Palmer	Truscott ..	Madras
Jan. 23	Cork ..	Lucy Ann ..	Dacre ..	Van Diemen's Land
Jan. 23	Portsmouth..	Triumph ..	Green ..	Cape & Bombay

GENERAL LIST OF PASSENGERS.

PASSENGERS HOMEWARDS.

By the *Nimrod*, from Penang. Capt. Harrie:—Master Thomas G. Williams.

By the *Jessie*, Walker, from the Cape:—James Carfrae, Esq.; Capt. Thomas T. Harrington; Dr. Tedley 98th regt.; Mrs. Pugh; Miss Hart; Messrs. Wyke and Dennis.

By the *Eliza Jane*, from Mauritius:—Capt. Kilgour, (late of the *Venus*), Misses Beddard and St Ivens.

By the *Lady Rowena*, Capt. Russell, from New South Wales:—Mr. Doyle, Lieut. Burnside, R. N.; Mr. Shaw; Mr. Kelly; Miss Gray; Mrs. Wood and ten children.

By the *Columbus*, Capt. Brown, from Bengal:—Lieuts. Barnard and Blake 38th regt.; Lieut. Revell, H. Co.'s Service; Lieut. Fitzgerald, ditto; and Dr. Wald.

By the *Mary Ann*, Capt. Macdonnell, from Bombay:—Col. Dunbar, Hon. Co.'s Cav.; Col. Donaghee and family, 17th regt.; Capt. Smith, 4th Dragoons; Lieut. Wells, Hon. Co.'s Marine, left at Algoa Bay; Lieut. Kean Hon. Co.'s Military Service; Mrs. Drew, and Thomas Fox.

By the *Sir William Young*, from Bengal: Mr. Brookes; Ensign Webster, H. M. 67th regt.; Lieut. Scott, H. M. 47th regt.

By the *Princess Charlotte*, from Bengal: Mr. Peter Duncan; Mr. J. Bexley Master Bexley.

TO CORRESPONDENTS.

We have received the promised statement respecting the Serampore Missionaries, which the writer states has been unavoidably delayed: but we regret that it reached us too late for insertion in our present Number (not arriving until the 25th). We shall, however, secure it a certain place in our next: and, in the mean time, must, in candour, admit, that it sets their conduct in a light very different from that in which it is represented by the writer of the previous articles to which it refers. The readers of this work will, however, soon have the statements of both parties before them; and will then be enabled to judge for themselves.

We have reason to believe that the letter, of which an extract appears, under the head of 'RESCUE FROM DROWNING,' in p. 366 of No. xxxv. of this publication, was from Mr. William Strange, on his way to Madras, as a Cavalry Cadet, in the ship Fairlie. Capt. Shortt.

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MARCH 1827.

THE ORIENTAL HERALD.

No. 39.—MARCH 1827.—VOL. 12.

ON THE INTRODUCTION OF COFFEE INTO EUROPE.*

THE savage, who subsists on what the small region he wanders over produces, knows the history of the means by which his scanty bill of fare is furnished, and the spot upon which he finds the roots, fruits, and animals which he devours. In civilized countries, there are thousands to whom the methods by which the articles they see upon their tables are procured, the countries in which they are produced, the era when man first added them to the list of his resources, and the history of that industry and enterprise which constantly multiply and extend the sources of supply, are utterly unknown. Like the Jews in the Desert, they consume the manna which commerce rains upon them, but never look up to examine the colour or aspect of the sky from which it falls. Yet, what is the history of man, but the history of his food, his clothing, his furniture; of the methods he has invented to sustain and preserve life, and ward off the attacks of the elements? There are, indeed, no records of how the principal articles of human subsistence were first discovered; but we know that each successive inroad upon the great domain of nature must have been made at the peril of life. For example, the man who first stood beside an ear of corn, incited by hunger to put forth his hand and eat, had no oracle of which to inquire whether it were the principles of life or the prin-

* The etymology of the word *coffee* (Fr. *café*) is quite uncertain. Gal-land derived it from the Turkish word *cahveh*, which is only a corruption of the Arabic infinitive *cahouah*, "to nauseate"; a term applied originally by the Arabs to wine, and all intoxicating liquors.—'Voyage to Arabia the Happy,' p. 246, 247. But Bruce contends that the plant came originally from an African country called *Caffa*, which is situated in the south part of the kingdom of Nareu, where it is produced spontaneously every where in great abundance, and is almost the only wood of the country, (vol. ii. p. 226.) Allowing this to be true, what so easy as to derive coffee, or café, from *Caffa*, the name of the original country?

ciples of death that lurked in the yellow grain before him. He might, or he might not, have seen the thing eaten by other animals ; but in either case he would not be sure ; for how could he know that what fattened the hog or the ox would not poison him ? He must hazard his being on the properties of an untried substance, and either add to the catalogue of the means of life, or lessen, by his own death, the number of those who needed them. In the same manner every simple article of human food,—the acorn, the olive, the eggs and flesh of animals, and tea and coffee, were successively reclaimed from nature, and made the prey of man. But the history of the steps taken by the first inventors, their names and their country, are all equally unknown ; so that, in tracing back the history of any single article, we are always compelled to stop at its introducer or importer into some particular country, and eternise his name for spreading what others had discovered. But, respecting the history of their comforts and luxuries, the great majority of mankind are, as we have said, incurious in an incredible degree, being in general contented to enjoy what they can procure, without in the least troubling themselves about the modes of industry, or the remote channels by which it is created or transmitted to them. On other subjects their curiosity is insatiable and boundless. How many learned skulls have ached in labouring to ascertain the precise nature of Etruscan pottery, murrhine vases, or the amber found in various seas ; while, perhaps, the tea or the coffee that refreshed them during their researches, was an article of which they were still more ignorant, and were contented to remain so. Perhaps the edible birds' nests of the Indian Archipelago, formed from unknown materials, and sometimes sold in China for more than their weight in gold, may some day be thought worthy the researches of the learned, and excite wonder and curiosity, no less than the marrow of lions, upon which Achilles was fed, or the ostrich's brains of Heliogabalus.

To be sure, it cannot be affirmed that coffee has encountered the entire neglect of the learned ; various persons have written on its virtues and its history, and, among others, one of the contributors to the 'Westminster Review.' But certainly this last writer on the Arabian nectar, however learned and judicious he may be, has acted but a sorry part toward his readers, in giving them a most superficial account of the spread of the use of coffee, and neglecting to say where he learned what little he knew, and where his readers might inform themselves more fully. We shall not imitate his disingenuousness ; though we shall endeavour to perform what he pretended to do.*

* The 'Westminster Review,' after observing that the story of its introduction to Aden from Persia rests on very doubtful authority, says: "It is certain, however, that about the middle of the 15th century, it was generally drunk in Arabia." Now there is no authority, however *doubtful*, for this assertion. On the contrary, the only authority we have worth attending to, asserts it was not

It is but too common, among periodical writers, to neglect pointing out the sources whence they derive their information on any particular subject, and for this they have two reasons: first, a desire to appear learned; second, a consciousness that this appearance cannot be maintained without mystification. But in cases where knowledge is to be compiled from others, nothing so surely tends to excite the suspicion of quackery as an unpeopled margin; for when we cast our eyes there for the

introduced into Yemen until about the middle of the 15th century.—*La Roque*, p. 251. We are aware that the historian Ahmed-Effendi attributes the discovery of coffee to Sherkh Omar, a dervish of the order of Shazilys at Mokha, in the year of the Hejira 636, (A. D. 1258.) This man, he says, being banished from his convent to the mountain of Kioubh-Eusab, there plucked and boiled the coffee-berry, which was all around him in great abundance, and subsisted on it, till visited by his friends, to whom he communicated the virtues of it, and they in their turn made them known to the inhabitants of Mokha, which procured the recall of the dervish by the prince.—*D'Ohsson*, tom. ii. p. 123, *et seq.* But there is nothing here which can assist the Reviewer; nothing which relates to the *fifteenth* any more than to the *fourteenth* century; and indeed the whole has that appearance which he himself would denominate "doubtful." Farther on, the Reviewer says, the attempt to carry the prohibition of coffee into effect at Cairo caused such commotions that it was permitted to be drunk with impunity. *It was never prohibited at Cairo*, and, therefore, no attempts to carry the prohibition into effect could be made; on the contrary, it was the zealots who attempted to have it prohibited against the express will of the public authorities.—*La Roque*, p. 264, 265. In speaking of these disturbances at Cairo, the Reviewer uses the vague phrase, "it produced intoxication and excited improper feelings;" exactly the sort of language generally used by a mere compiler. It is in fact borrowed from an article in Dr. Brewster's 'Encyclopædia,' which is quite as superficial and unsatisfactory as the 'Westminster' itself. The whole of this writer's knowledge on the subject, seems to have been collected from Dr. Brewster, or some such second-hand authority; though he writes with as much confidence as if he had actually examined the original treatises on the subject. One original piece of information we certainly found in this article, which is, that one *Procoptus*, a Florentine, was the second person who fitted up a coffee-house at Paris. This certainly is a curious fact, as it escaped the notice of Galland and *La Roque*, who were living (the former at least was) in Paris at the time. The Reviewer then sneers at the French, and says they adopted, in imitation of a Turk of "wit and gallantry," what they would have rejected with disgust had it been "prescribed" by a Frenchman. The French understood little of the Turk's wit, and had begun to use coffee before his arrival. According to the Reviewer's account, the Dutch introduced the coffee tree into Java in 1696; but they had introduced it years before, and by that year had raised numerous young plants, some of which were sent to Europe. He concludes with observing, what Brewster also observes, that De Humboldt computes the quantity of coffee annually consumed in Europe to amount to 116,971,000 pounds avoirdupois; and the consumption of France to be 230,000 quintals. An *Encyclopædia* is an useful thing. But the reader who desires more information than we can compress into one article, may consult the Historical Account of Coffee, appended to the 'Voyage to Arabia the Happy,' 12mo. Galland's Pamphlet, printed at Caen in 1699. Moseley's 'Treatise on Coffee,' 8vo. 1785, in which *La Roque's* relation is largely quoted; the article *coffee* (and its authorities) in 'Miller's Gardener's Dictionary,' by Martyn, 1807. A small pamphlet, Arabic and English, by Dr. Pococke, printed at Oxford, 1659. The 'Encyclopædia Britannica' is not worth looking at on the subject.

vouchers of the pleader, and find an empty witness-box, we are apt exceedingly to limit our faith in his averments. This is not usually the sin of the 'Westminster Review,' which, on the contrary, is remarkable for its exactness. But inadvertence and error will occasionally find their way every where. It is not our intention, however, to be very minute in exposing them on the present occasion, as on the history of coffee there are particulars much better worth attending to than the mistakes of a review.

Coffee was not known in Arabia before the middle of the fifteenth century. About that period, Gemaleddin, the Mufti of Aden, happening to make a journey into Persia, first observed the use of it among his countrymen in that empire. Whence they procured it he seems never to have inquired, nor did he at the time imitate them in the use of it; but returning shortly after to Aden, and finding his health impaired from the fatigue of travel or some other cause, it occurred to him that perhaps he might find some relief from the use of coffee, of which he had heard the Arabs of Persia speak very highly. Procuring therefore a small quantity of the article, he made trial of its virtues, and had the good fortune to find it surpass his expectations; as it not only restored his health, but likewise enabled him to perform the nocturnal ceremonies of his religion with more pleasure and cheerfulness. From Gemaleddin the numerous dervishes of Aden learned the virtues of coffee; and their united example (for these monks were at that time much respected in Arabia) sufficed to recommend the odoriferous beverage, first to the learned and studious part of the population, and immediately afterwards to artisans and travellers, and in general to all persons whose occupations required them to be much awake during the night. The Arabian author, from whom we have this relation, observes, that on the introduction of coffee the inhabitants of Aden relinquished the use of a beverage, until then common, procured from the leaves of a certain plant called *cat*, which, though the Arabian writer insinuates no such thing, may perhaps have been *tea*. The Mufti Gemaleddin, to whom all coffee-drinkers are so much indebted, survived many years the introduction of the berry into Arabia, and died in the year of the Hejira 875, or A. D. 1470.

From Aden the use of coffee passed, about the end of the same century, to Mecca, still owing its progress westward to the taste and exertions of the Dervishes. These holy men, who, according to the rites of their religion, always spend a great portion of the night in devotion, soon found coffee an indispensable accompaniment of watching and meditation, and, when they came from Yemen on pilgrimage to the Caaba, were careful to bring with them their coffee apparatus, which they used in the great court of that ancient temple. It should perhaps be remarked, that the Arabs of Yemen have always used, not the berry, but the husk of the coffee; it is

said to be the most delicious ; but, as it loses its flavour together with its freshness, it is never exported to those distant countries to which the berry is conveyed.

Shortly after the dervishes of Yemen had made known the good qualities of coffee to the inhabitants of the sacred city, houses of public resort were opened in which this beverage was sold ; and this, tending greatly to bring the citizens together, and heightening their vivacity and disposition to mirth, was soon considered by rigid Musulmans a matter of great alarm and scandal. Gambling of all descriptions is forbidden by the Koran ; but it was found that the frequenters of the coffee-houses outstepped the boundaries of legal amusement, and wagged their orthodox beards over chess-boards and *Marcalah* shells.* Mecca was at this time under the power of the Mamaluke Sultans of Egypt, who usually maintained a Governor in that city. It is well known that all such persons carry their authority over the provinces they command to the utmost extent, and are glad when any accident enables them to manifest their arbitrary power. At the period when coffee was introduced at Mecca, Khair Beg (or Bey) was Governor of that city for the Mamaluke Sultan. He was a man of austere manners and imperious temper, and coming accidentally to the knowledge that coffee was drunk by the devotees who spent the night in prayer in the Caaba, he immediately concluded it must be some inebriating liquor ; and, convoking together the doctors of the law, the officers of justice, and the principal inhabitants of the city, he informed them of his suspicions and determination to prohibit it. This is the oriental way of taking counsel. A man first resolves upon some particular course of action, and then calls together his friends or adherents to hear their opinion, and show how little he values it. The deliberations of the Meccan doctors, assembled to determine the fate of coffee, assumed at first a very serious face, as was fit on so momentous an occasion ; the expounders of the law decided, very rationally, that the matter ought to be submitted to the physicians, who should be desired to ascertain whether it were in any way prejudicial to mind or body ; for, if it were not, they thought it would be sufficient to put a stop to the disorders of the coffee-houses, without prohibiting the drink itself. This was approved. Two eminent Persian physicians were therefore sent for, and questioned respecting the qualities of coffee. Unfortunately, however, for the good people of Mecca, one of these Galens had written a book against the use of coffee, probably, says the Arabian historian, because it lessened his practice ;

* “ *Marcalah* is a game much in request among the Eastern people. They play only two at a time, as at chess, with 72 small shells, or some such things, putting them on a piece of wood, of about a foot long, and five inches broad, and ranging them in two straight lines in 12 round holes hollowed in the board for that purpose, six in each hole, &c.”—*La Roque*.

and therefore, like honest Sangrado, in *Gil Blas*, he was bound in honour to maintain the principles of his book, whatever might be their effect upon the bills of mortality. He assured the assembly, in the jargon which passed in those times for philosophy, that coffee was *cold and dry*, "and consequently very unwholesome." One of the doctors of the law objected to this assertion, observing, that "Bengiazlah, an ancient and very famous physician of Bagdad, had written, in his book of simple medicaments and ailments, that the *buun* (coffee) concocted and dissolved the phlegm, and that therefore it could not have the quality the Persian physicians now imputed to it. This remark was very judicious; for upon this dispute all the physicians of that time agreed, that according to the doctrine of Bengiazlah, the *buun* or coffee was *hot and dry*, and not cold and dry. The two Persians, to maintain what they had advanced, replied, that the doctor he spoke of, had never heard of this *buun*, but of another plant of the same name, which had quite different effects, and without giving themselves the trouble to prove it, maintained, like casuists, that though this *buun* was one of those indifferent things which every body had the liberty to indulge himself in, yet if it disposed people to things forbidden by religion, the safest way for the Musulmans was to look upon it as unlawful. This decision carried away all the suffrages; many even, out of prejudice or misguided zeal, affirmed that coffee had disordered their heads; and one assured them that it intoxicated like wine, which made the whole assembly fall out a laughing, since he could not have been a judge of this, if he had not drunk wine, which is forbidden by their religion; and being asked, whether he ever had drunk any, he was so impudent as to own he had, thereby condemning himself to the *bastinado*, a punishment inflicted on all such as transgress the law of Mohammed."*

The result of all these ludicrous deliberations was, the total prohibition of coffee, though the Mufti of Mecca, who was both a divine and a lawyer, stood up with great warmth in its defence. To give full effect to his edict, the Governor, now supported by many doctors, as well as by general opinion, threatened the disobedient with those severe punishments which Islamism denounces against infringers of the law. An account of these transactions was drawn up, and sent, as a despatch of peculiar importance, to the Sultan of Egypt. When men, however, have acquired a taste for anything, even the best organised laws and ordinances sometimes fail to make them abandon it; there was, therefore, little hope that the furious decrees of such a man as Khair Bey, however pompously issued or rigorously executed, would ever effectuate a revolution in the habits of a people so pertinacious and resolute as the Arabs. The inhabitants of Mecca continued as be-

* 'Voyage to Arabia the Happy,' p. 258, 260.

fore to drink coffee in their houses, fully persuaded that the Governor and the assembly had passed an absurd judgment, and condemned it without reason ; and in this opinion they were greatly fortified by the concurrence of the Mufti. " However, one of them being surprised in the fact, was severely punished, and afterwards led through the most public streets upon an ass. But this rigour did not last long, for the Sultan of Egypt, far from approving the indiscreet zeal of his Governor of Mecca, wondered how he dared to condemn a thing so much approved of at Cairo, the capital of his kingdom, where there were doctors whose opinion was of much more weight than theirs at Mecca, and who found nothing in the use of coffee any way repugnant to the law."

Coffee was, therefore, restored to all its former honours at Mecca, and the anti-coffee faction, a kind of high tories, were thrown into the shade. The Arabian author, from whom, with Galland and La Roque, we borrow the greater part of this relation, here adds a remark, emphatically oriental. Not content with narrating the reinstatement of coffee in its due eminence among the *materia culinaria*, he informs us, with a very serious face, that the tasteless Governor, with those Persian Sangrados who abetted his heresy, came, like so many Zoiluses, to a bad end, for having abused one of the best of God's berries ; for that the former was tortured to death by his successor, for various malpractices ; and the latter was executed in Egypt for having cursed the sacred person of Selim the First, the Turkish conqueror of that country.

However, like all other good things, the Arabian nectar was constantly the butt of ignorant bigotry. In 1524, about thirteen years after Khaia Bey's persecution, the Cadi of Mecca once more shut up the coffee-houses, pretending, it seems, that frequent disorders were committed there. But his successor again allowed them to be opened, and from that time no real interruption was ever given in Mecca to the sipping of coffee, which still continues to refresh the kneelers in the Caaba at every hour of the day. It is true, that in 1542, there arrived by the caravan from Damascus an order from Solymán II., prohibiting coffee ; but little or no regard was paid to it, as it was quickly known to have been procured in a soft moment by one of the khatouns of the Seraglio.

From the history of the spread of coffee-drinking in the East, we may learn this fact, among others, that despotism, whatever other excellences it may have, is not a sure antidote against tumults and riots. Where men have not political rights to contend for, they quarrel about casuistry and coffee-pots ; and in the warmth excited on such momentous occasions, act every whit as irrationally as an English mob at an election. This was very happily illustrated by a movement among the good people of Grand Cairo. We have already related that the Mamaluke Sultan of Egypt, who it is to

be supposed was an orthodox Musulman, had a favourable feeling towards coffee, as what man with a palate has not? To make sure, however, that his taste was not in a league with Satan against the repose of his soul, he consulted with the most approved casuists then at Cairo, on the merits of this infernal potation, which they of Mecca had pronounced to be as effective a guide to hell, as *Æneas's* Sybil. No danger, they thought, could accrue to his Highness, or any other true believer, from a dish of coffee, which they declared to be, to all intents and purposes, an orthodox Musulman beverage. Who would have apprehended danger after this? Nevertheless, there was a storm brewing. A certain doctor, one of the righteous over-much, a kind of Mohammedan Pharisee, framed in his wisdom a very cunning question respecting coffee, in which he contrived to assert that it was inebriating, prejudicial to health, and the cause of many disorders. This question, with his own opinion that coffee was forbidden, he sent round to the other doctors, requesting to know what they thought. All clergymen are jealous of the reputation of orthodoxy. But the Mohammedan doctors of Cairo consented, upon the present occasion, to hazard the imputation of latitudinarianism rather than condemn a beverage with which, in common with the body of the people, they were upon very good terms. This threatened storm blew over, therefore, without mischief; but about ten years after, a preacher, a kind of Musulman *Irving*, raised up his voice against coffee, as a fearful abomination, as a thing which threw a blight upon all virtue, extinguished even faith, and flew up in a steam that closed the golden doors of Paradise. No orthodox ear could resist oratory so convincing: his congregation saw the gulf of perdition in a coffee-pot, and heard, in its hissing bubbles, the roarings of that infernal lake where all unbelievers in the Koran, all infringers of the Prophet's law, all eaters of charcoal, and drinkers of bitter drinks, must plunge and tumble to all eternity. In a moment out they flew—throwing themselves with rage and fury into the nearest coffee-houses, and having demolished the irreligious pottery, and other portions of the coffee apparatus, dealt true physical syllogisms among the heretical customers. Two parties were now formed in the city, “one maintaining that coffee was forbidden by the law, and the other, the contrary. But the chief judge having called together all the doctors to consult them, they declared that this question had already been decided by their predecessors on the side of coffee, and that they were of the same sentiments; and that some check was to be given to the furious zeal of the bigots, and the indiscretion of the ignorant preachers. The judge who presided, and was of the same opinion, immediately caused some coffee to be served up to the whole assembly, and drank some himself, which example soon re-united all parties, and brought coffee into greater esteem than ever.”

After this the most scrupulous got rid, by degrees, of all their

prejudices, and coffee overcame at Cairo, as at Mecca, the perversity of man, always prone to suspect that which nature intended for his benefit.

From Cairo it passed into Syria, where it was received without any obstacle ; at first, says M. Galland, at Damascus and Aleppo, and afterwards in all the other cities of that great province ; and from Syria it was transported direct to Constantinople. The first importers of coffee into the capital were Hakem and Shemss, the one a native of Damascus, the other of Aleppo. This happened (for we may as well be particular in dates) in the nine hundred and sixty-second year of the Hejira, which began the first of November, A. D. 1554. But here, as at Mecca and Cairo, coffee had again to struggle with the genius of Islamism, a spirit as averse to innovation as any Tory at this moment in Great Britain. However, to the honour of literature be it spoken, the first men in Constantinople to welcome the stranger were the learned, and especially the poets ; they flocked, it seems, with unusual enthusiasm to the coffee-houses, which thenceforward became the resort of all men of wit and social complexion, and, above all, of the romancers and story-tellers, who from time immemorial have constituted the chief delight of the Oriental nations. These story-tellers still make the coffee-houses their principal resort, says D'Ohsson, especially in winter, and there they relate their tales with that grace and energy, which are *peculiar to the national language*. They chiefly confine themselves to amorous and heroic tales, which they embellish with verses, apophthegms, and sentences drawn from the best Oriental writers. These assemblies are for those people what clubs, concerts, balls, &c. are to Europeans ; but the great seldom visit them, unless during an excursion into the country, or a long journey. The cups in which coffee is served up in Turkey, are very small—scarcely a third of the size of ours—they are always presented in saucers, or rather in other larger cups, to prevent burning the fingers. These saucers are called *zarf*, and are generally of copper, silver, or silver gilt. Among the great they are of gold, and frequently enriched with jewels. Lady Montague mentions, as well as D'Ohsson, the saucers of silver gilt, and gold ; and adds, that the cups were of the finest Japan china. “ But the piece of luxury,” says she, “ which grieved my eyes, was the tablecloth and napkins, which were all tiffany, embroidered with silk and gold, in the finest manner, in natural flowers. It was with the utmost regret that I made use of these costly napkins, which were as finely wrought as the finest handkerchiefs that ever came out of this country.”*

As to the coffee-houses themselves, they are built in many parts of Turkey, and especially about the capital, with much taste and

* Lady Montague's Letters, ii. 138, 139.

elegance. Situated generally near the public promenades, or on the sides of the great roads, they are constructed in the form of a kiosk, or cool summer-house, and are shaded in the country with trees, or trellis-work, covered with vines. Round about, on the outside, are low divans, like sofas, upon which visitors sit to sip their coffee, and smoke their pipe, or occasionally to play at chess or trick-track. Delicate sweetmeats are sometimes served round a short time before the coffee, which is always drunk without sugar, milk or cream.

The number of coffee-houses increasing prodigiously at Constantinople, and their attractions increasing also with the habit of frequenting them, it was soon found that the Imams and expounders of the law were left to keep company with their beards, the mosques remaining nearly empty to answer in learned echoes to the declamations of the doctors. Though rigid predestinarians, it was not to be expected that these Musulman parsons would come readily into the notion that Providence had decreed they should preach to empty benches; on the contrary, seeing the mortifying success of their rival jugglers of the coffee-houses, they instinctively thought, as their craft always do, of the strong arm of power, and vehemently invoked its aid against the Arabian berry. Accordingly, for all governments must respect their instruments, the Mufti seems to have been directed to favour the zealots, and prohibit coffee; and the experiment was repeated more than once, but without success. Governments always fail in a struggle with popular habits; for if power is sacred, so is custom; what men have been used to, they revere; and when, as in the case of coffee, they have to decide between two good things, obedience to authority, and obedience to their stomach, they generally decide in favour of that which comes nearest to their business and *bosoms*. Coffee went on, therefore, triumphantly *to comfort the heart*, as Lord Bacon says, of every true believer; and so rapid was its progress, that, in the reign of Mourad III. (Amurath, as we call him), there were no less than six hundred coffee-houses in Constantinople alone. These establishments, however, were often a source of terror to the Government, for the most ignorant despots understand that power is interested in keeping the citizens as much as possible strangers to each other, and in the coffee-houses all reserve and distance were usually laid aside. They were accordingly more than once shut up by order of the Sultan; but in one instance the cupidity of his own officers defeated his views, for they sold licences to coffee-house keepers; and in all, popular perseverance prevailed; so that in the time of D'Ohsson, there was not in the whole Ottoman empire a town, village, or hamlet, where there was not a coffee-house to be found.

Before we dismiss this part of our article, it may perhaps be worth while to notice an anecdote told by Galland, of the great vizier Kupruli. Before this minister suppressed the coffee-houses, which

he did at Constantinople during the war in Candia, he went *incognito* into the principal of these establishments, to ascertain what sort of conversation usually prevailed in them, and, to his dismay, "he heard grave people discoursing seriously on the affairs of the empire, *blaming the ministry*, and deciding matters of the greatest importance. He likewise went into the taverns, where he saw people singing, or talking only of their amours or exploits in battle, being for the most part soldiers, whom he did not think it convenient to deprive of this amusement." Galland obtained this anecdote from M. D'Hermange, who had been physician to the last vizier, Kupruli, who was killed at the battle of Salankema. M. de la Roque, who travelled in the Levant in the beginning of the eighteenth century, but was not at Constantinople, observes, that he found coffee-houses in every town and village through which he passed, but that the handsomest and best frequented were at Damascus. When Galland wrote his little pamphlet, coffee was an article of recent introduction in Europe, and therefore he found it necessary to enter into many minute particulars respecting its use and qualities, which could be of no interest at all at present. It may, however, be observed, that the Turks, who are connoisseurs in coffee, always preserve it in leathern bags, hermetically sealed, to prevent it from losing its fine scent and flavour. They roast it, too, immediately before it is used, and reduce it to a fine powder in a mortar of wood, bronze, or marble. It is indeed considered so much a necessary of life by those people, that to refuse or neglect to give coffee to their wives, is a legitimate cause of divorce among them. It enters also into their system of diplomacy, for when the Grand Vizier neglects to treat an ambassador with coffee, which he seldom does, it is regarded as a sure mark of his displeasure, and as the precursor of hostilities. "In the Seraglio, and among the great men, they sometimes put in each dish a drop of oil of amber, others boil it up with a clove or two, according to the quantity of the coffee, and some with a little Indian aniseed, which the Turks call *Badian Hindi*, and some with *Carouleh*, which is the seed of the *Cardamomum minus*."*

How and when the use of coffee first passed from the East into Europe is unknown. It is conjectured, however, with some probability, that it was first introduced at Venice, perhaps, by Pietro della Valle, since he promises, in a letter, written from Constantinople in 1615, to bring some home with him on his return.† But of this there is not the slightest certainty. M. de la Roque affirms, what we see no reason for disputing, that the first coffee ever seen in France was brought thither in 1644, by his father, then returning from travelling with M. de la Haye in the East. Miller, in-

* 'Voyage to Arabia the Happy,' p. 278.

† 'Gardener's Dictionary,' Art. "Coffee."

deed, or his continuator, seems to doubt the circumstance; but why admit and copy nearly the whole of his relation, and only doubt this one fact, especially as it is given upon the writer's own knowledge? Thevenot, as M. de la Croix asserted, and as La Roque allows, was the first who introduced it at Paris, in 1657; but, says La Roque, "my father had made it known to the inhabitants of Marseilles, in 1644, thirteen years previous." He brought with him from the Levant, not only the coffee, but all the implements likewise which were used in preparing it in Turkey; and at the time when the history of the introduction of coffee into Europe was written, those implements still remained in his possession in a little cabinet at his house in the country. They consisted of the finjans, or dishes, which were of old China, and very beautiful, and those small pieces of muslin embroidered with gold, silver, and silk, which, as Lady Montague also observes, the rich Turks use instead of napkins when they drink coffee. But whether M. de la Roque or Thevenot was the first to show the French the use of coffee, the example was not immediately followed, either because sufficient for extensive consumption was not easily procurable, or because men were slow to adopt a foreign custom. However this might be, while the French were deliberating or hesitating to adopt a Turkish fashion, the inhabitants of London seem to have dashed into it at once. In 1652, a coffee-house was opened, either in George-yard, Lombard-street, or in St. Michael's Alley, Cornhill, by Pasqua Rosa, or Rosee, a Greek, who was brought to England by Mr. Edwards, a Turkey merchant. To reconcile the Cockneys to his outlandish drink, Rosa distributed, or pasted up, sundry curious hand-bills, describing the virtues of coffee, which, heaven knows, were very numerous, according to his account, since there are few disorders which it would not cure. One of these bills we have seen, and wherever Rosa first set up, his domicile at the time of this advertisement (which has no date) was in St. Michael's-alley; for it thus concludes: "Made and sold in St. Michael's-alley, in Cornhill, by Pasqua Rosee, at the sign of his own head." Several other persons soon after set up as Rosa's competitors, and the Greek was shortly compelled to take Mr. Edwards's coachman, who was a citizen, as his partner, as he himself was not free of the city. There are sundry other curious advertisements of those times, relating to this subject, preserved in the British Museum, in which we find the shopkeepers giving as much as they knew of the history of tea, coffee, and chocolate, and directing their customers in the country and elsewhere how to use them.

As the English do not suffer their religion to interfere very much with culinary matters, we do not find that our clergy exerted themselves to throw discredit on the incipient fashion of coffee-drinking; on the contrary, it was, according to all appearance, in an episcopal garden that the nectar-bearing plant of Yemen first

struck root in this country, for Bishop Compton, it is said, had got a coffee plant in his garden, at Fulham, so early as 1696. It was certain Goths and Vandals, among the learned, and even, *proh nefas!* among the poets, who launched the arrows of their wit against the Arabian berry in London. Several cutting little satires, written by the wits of that age, in very respectable verse, both against tea and coffee, still remain; and we observe, that the topic most triumphantly urged was, the absurdity of an Englishman imitating the Turks. What an abomination, exclaimed those wise ancestors of ours, to see Britons sitting in a coffee-house, and drinking a filthy bitter beverage, like "the Ottomite!" To be sure, we eat bread *like the Turks*, but this did not occur to the wits. Bacon had mentioned coffee, so early as 1624, but it does not appear that he had seen it; indeed, it is almost certain that he had not, for he says, "*They have in Turkey a drink called coffee, made of a berry of the same name, as black as soot, and of a strong scent, but not aromatical; which they take, beaten into powder, in water, as hot as they can drink it; and they take it, and sit at it in their coffee-houses, which are like our taverns.*"* He had read accounts of it in Eastern travellers, perhaps in Rauwolff, Prosper Alpinus, or those two Englishmen, Biddulph and Finch, who spoke of it in the very beginning of the seventeenth century. The former says, "The Turks have for their most common drink *coffee*, which is a black kind of drink, made of a kind of pulse like pease, called *coava*." This was 1603. In 1607, Finch wrote as follows: "The people in the island of Socotora have, for their best entertainment, a China dish of *Coho*, a black bitterish drink, made of a berry like a bay berry, brought from Mecca, (Mocha) supped off hot." The first mention made of coffee, in our Statute-book, was in 1660, 12 Car. II. c. 24.† In 1675, in order that we might not be behind the Orientals in madness and folly, Charles II., the most "merry" and the most profligate of monarchs, issued a proclamation against coffee-houses, which induced the nation to show their scorn of such impotent absurdity by multiplying the forbidden thing tenfold; so that, in 1688, Ray was of opinion that London might rival Grand Cairo itself, in the number of its coffee-houses, which were also to be found in every great town in England.

In France, coffee seems to have been brought into *fashion* by Solymán Aga, ambassador from the Sublime Porte, who arrived at Paris in July 1669, and returned to Turkey in May 1670. This Ottoman gentlemen, it seems, and his train, brought with them large quantities of coffee, and inviting several individuals, both of the court and city, to partake of it, they so much accustomed

* 'Natural History,' Cent. viii. No. 738. vol. iv., of Basil Montague's Edition.

† 'Purchas,' p. 1240.

the French to this delicious beverage, that a taste for it was formed before their departure, which never afterwards decayed. The persons who first sold coffee publicly at Paris, were, *Pascal*, an Armenian, who, in 1672, first retailed it at St. Germain's fair, at two sous six deniers a dish; *Maliban*, another Armenian; *Gregory*, of the same nation, a native of Ispahan; *Makara*, a Persian; and a little lame fellow, called the *Candiot*. Other persons soon adopted the same profession; and, improving on their scanty establishments, sold chocolate, tea, biscuits, sweetmeats, and all sorts of liquors, as well as coffee; they introduced also coffee and chocolate-pots of silver; and, in a short time, these establishments amounted to 300, when the keepers of them were erected into a company afterwards united to the corporation of distillers of the city and suburbs of Paris.

From this period the use of coffee became general, though many French physicians maintained, through ignorance, that it was the cause of sundry tremendous disorders, which nobody ever experienced from the use of it. But the demand now becoming greater daily, it was feared that the plantations of Yemen, from which, according to the Abbé Raynal, 12,000,000 pounds were exported annually, would not suffice for the consumption of Europe; and, therefore, the enterprising spirit of the Dutch led them to obtain one or two young coffee plants from Yemen, which they carried to the settlement at Batavia, where, about 1696, they had raised several young ones, some of which they sent to Europe. These were planted in the public gardens of Amsterdam, from whence most of the gardens of Europe were supplied. One plant was sent to Paris from Holland, in 1714. In 1718, it was planted by the Dutch colony of Surinam, from whence, M. de la Motte Aigrom, obtaining a plant, by artifice, transported it to Cayenne, where many thousands were produced in 1725. In 1727, the French sent plants out to Martinique, though others say it was in 1720. It had been cultivated in the Isle of Bourbon as early as 1717. It was first planted in Jamaica in 1728, from whence, in 1782, 60,000 lbs. weight was exported. It is now raised in the Dutch colonies in the East, at Ceylon, Sumatra, Java, and in the continental territories of the East India Company; in various islands of the West Indies; in the gardens of the curious all over Europe; and a plant may be seen in a shop-window in Old Bond-street. In Yemen it has been known to reach the height of sixteen or eighteen feet; but in Europe it rarely rises above ten feet. It is an ever-green tree, and blossoms; and unripe and ripe fruit may be seen upon its beautiful branches at the same time. It has been found to be a native of St. Domingo, of Abyssinia, of the island of Mozambique, of the coast of Zanguebar, and of the great forests of Orapu, in Guiana.

EXCURSIONS ON THE BANKS OF THE NILE.

No. I.

Journey from Alexandria to Rosetta, by Aboukir and the Lake Etko—and Voyage up the Nile to Cairo.

HAVING seen all that was deemed curious or interesting at Alexandria, I had begun to prepare for a visit to Grand Cairo, the great capital of Modern Egypt, and from thence still farther up the mysterious Nile. On the 22d of September, all being ready for our journey, I took a cup of coffee with my English friends, and was mounted before sun-rise, having with me two small portmanteaus and a mattress, which, with the servant's baggage, made a sufficient load for one of the horses procured for us; and on three others, myself, my servant, and the guide who was to accompany us, rode. In leaving the town of Alexandria, by a road strewed with fragments of the ancient Greek city, the Saracen town, and the more modern Arab dwellings, recently demolished by the French, we were assailed by innumerable packs of dogs, who make their holes like foxes, amidst these ruined heaps, and from thence sally out in troops on all who pass near them. Insignificant as this annoyance may seem, it is not easy to convey a faithful picture of their wolf-like appearance, and hideous yelping; which is certainly sufficiently disgusting to justify the classification that has been given to it, of 'the sixth plague of Egypt.' Among all the confused wreck of ancient and modern remains, there are only three granite pillars now standing erect, and these appear to have formed the portico of a building of some magnificence; the columns being from four to five feet in diameter, and the shaft in one entire piece of the finest rose-coloured granite.

At the Rosetta Gate, which is guarded by a Saracen tower, the Bey's passport was demanded of us: but on answering that I was an Englishman, it was deemed sufficient. From the walls to the shore of the Lake Maudie, where we intended embarking, we passed over the ground on which the armies were encamped during the last campaign, the lines and advanced works of which are still remaining; but not finding our boat at the place appointed, we pushed on to Aboukir, under the hope of finding her on that side the lake, as it would be more than a day's journey to Rosetta by land, and we had made no provision for a night's halt, having confided in our boatman's punctuality.

In treading the ground consecrated to British valour, by the blood of the gallant Abercrombie, and on which may be yet seen

the bleached bones of his victorious followers and defeated enemies, indiscriminately mixed in the equality of death, I was so absorbed in the reflections which such a scene is calculated to excite, that I rode for upwards of an hour unconscious either of our pace or direction. The jackalls, with which all this part of the country abounds, had torn the buried bodies of the slaughtered troops from their loose sandy graves; while the shattered fragments of their bones, now dispersed by the wind, and whitened by the sun, inspired a train of feeling which left me in doubt whether I should tread the ground with exultation, as the field of victory, or trace it with sadness as the ensanguined plain of carnage, cruelty, and death!

We drew near to Aboukir, and while my servant went in quest of the boat, I made an excursion to the castle, which was now in sight. In the way to this, I passed the site of the ancient Canopus, which is not so near to the sea-shore as it is placed in the latest maps. A few scattered blocks of granite, fragments of columns, and detached capitals, broken and defaced, with large masses of brick work, amid heaps of rubbish, are all that remains of this superb and luxurious city. Not a vestige is to be traced either of its magnificent temple or renovating baths, in which, if ancient records may be believed, disease was changed to blooming health, and the tide of youthful vigour made to flow again through the exhausted veins of decrepitude. I would willingly have prolonged my stay on this spot; but the return of my servant, who brought intelligence of his success in procuring another boat, allowed me but just time to ride towards the castle,—into which the guards were unwilling to admit us. Its external appearance, however, was not such as to excite a very strong curiosity to examine its interior, as it had the air of a building fast crumbling to decay.

The shallowness of the lake on which we were about to embark, would not allow the boat to approach within a hundred yards of the shore, and to reach her I had mounted on the shoulders of a naked Arab, who bore me part of the way with great ease and safety; but this circumstance being perceived by the crew of another boat, two of them hastened toward us; and meeting us about mid-way, unseated me from my elevated position. Knowing at this time only a few words of Arabic, I could not communicate with them in this tongue; and all I could utter in French, Italian, and Greek, was to as little purpose as if it had been Hebrew or even English. It was a contest between rival boatmen for a fare; and after being almost stunned with their vociferations, and narrowly escaping a cold and muddy bath, I was at length borne, by the strongest party, on board a different boat to that which we had engaged. The rest of the crew soon followed us; and before we made sail, the matter was compromised between the Arabs of the respective boats for a few paras distributed among those who were thus deprived of their expected benefit.

A fresh northerly breeze drove us rapidly through the ancient Canopic mouth of the Nile, into the bay of Aboukir. If the plain of Alexandria, and the name of Abercrombie, could awaken national and patriotic associations, the bay of Aboukir and the name of Nelson were calculated to excite them in a still more powerful degree. While I traversed the one, however, I was permitted to indulge my reflections in uninterrupted silence; but, in crossing the other, it was impossible to answer the multiplicity of questions which the inquisitive Arabs proposed to me. They spoke much of the war; were astonished that two nations should come so far off to fight their battles; and wondered that the English did not remain here, after they were masters of the country, and extirpate the Turks from Egypt. I was amused with the singular ideas which they expressed on many subjects, and this lessened the tedium of our coasting voyage along the bay, from which we entered by a narrow mouth into the lake Etoko, crossing over a dangerous bar, and continuing an easterly direction till we disembarked about three o'clock upon the sturdy shoulders of the boatmen at the village of the same name.

This village, though agreeably situated, and presenting an interesting appearance from the lake, in its white minarets, and dome-built cemeteries, contains only a few wretched houses inhabited by the poorest fishermen and peasants. The lake, to which it gives its name, abounds with fish; and the catching of these furnishes occupation to nearly all the residents. The odour sent forth by putrid masses lying exposed to a burning sun, was such as to make us hasten to prosecute our journey.

For a mile or two beyond Etoko, the road lies through date-trees and reeds growing out of the sand. This is in some places collected into large hills, and forms a very novel appearance; for while these hills possessed all the roundness and smoothness, which is natural to heaps of small particles of any kind, the wind had given to their surface all the breezy rippling of a gently-agitated sea, just as if the heavy swell of the ocean had, after a long gale, begun to be ruffled by flying airs, called, in maritime language, "cat's paws," and the whole sea transformed into a sandy desert.

On leaving this, we entered on an extensive plain, without a blade of verdure to be seen on it as far as the eye could reach; and having an unintercepted horizon on all sides, it was like riding on the surface of a lake. Rosetta was in sight; but we approached it so slowly, that I thought we were likely to be compelled, against our will, to observe the fast of Ramazan, as the sun was rapidly declining; but soon after sun-set, the wild shout of joy issuing from the crowds within, and the illuminated mosque of the town itself, announced our near approach to its now festive walls.

When we reached the town it was nearly eight o'clock, and so dark that we could scarcely grope our way through the narrow

streets, except where they were lighted by the glare of bazars, or mosques, which were now all decorated with lamps in honour of the Ramazan.

Alighting at the house of the English Consul, who was an Italian long resident here, to whom the Consul at Alexandria had given us letters, he procured for us lodgings at an okel or tavern, where we partook of an excellent supper, and retired early to rest.

Being desirous to reach Cairo during the feast of the Baïram, I proposed to make a very short stay here; and wishing, at the same time, to improve that stay as much as possible, I left the okella at day-light, and made a complete circuit of the town before breakfast. We walked first along the banks of the Nile, and returned round the fortifications toward the land. Nothing can be imagined more beautifully picturesque than the view of the Nile and the opposite shore of the Delta from the houses which here occupy its western bank. Early as the hour was, every one was in motion; and the crowded bazars, and busy wharfs, gave an air of active industry not generally witnessed in Oriental cities. The sun had hardly risen when we passed through the extensive burial-grounds without the walls; and yet at almost every grave were to be seen female figures so closely enveloped in their singular dresses, as to conceal every feature from the view, strewing leaves and flowers over the tombs of their departed friends, and offering up their prayers to heaven for the eternal welfare of their souls. This was a trait of character calculated to excite admiration; but this feeling was arrested, and our attention excited by an incident that displayed other qualities in a remarkable degree. We drew near to a crowd of people who were assembled round some noisy dancers, celebrating, as we learnt, the Feast of the Dead; and, gaining the interior of the circle, we saw several figures, decked in the most gaudy finery, seated round a new made grave, on the top of which were two Arabs dancing and singing, with all the graceless violence of barbaric festivity, to the harsh sounds of a discordant reed and a kind of toneless tambourine. The friends of the deceased joined in the chorus of the song, and between every stanza, money was collected, but for what purpose we could get none of the crowd to explain. As we returned by the fortifications, it was a matter of no surprise to me to find them, like every other Turkish work that I had yet seen, miserable in the extreme, and incapable of offering the slightest resistance to almost any description of besiegers.

The Consul having waited on me after breakfast to express himself at my service for the day, I joined him in a walk through the interior of the town, visiting every street and avenue, which occupied us until nearly sunset. The streets are irregular, narrow, and unpaved; the houses from six to eight stories high, each story successively projecting over the one below it, till they almost touch at the top, and thus darken the passage below. They are built of

old bricks, in a worse manner than even at Alexandria, and so loosely put together, as to threaten the passenger with destruction. We saw several of these houses in ruins from mere age and the badness of their materials, although all these were again collected out of the rubbish to erect other equally imperfect buildings upon the same spot. There are no ancient remains in the immediate neighbourhood of Rosetta; but small granite pillars, Corinthian capitals of marble, and other fragments of antiquity are frequently to be seen employed in the construction of the modern buildings, and must have been found on or near the spot. We learn from Leo Africanus that the town was first founded in the time of the Caliphs, whose subjects might have brought the fragments in question from Alexandria, comparatively a short distance off, though this is an effort which the present race would assuredly never make.

Of the wretched beings who crowded these streets, and seemed to linger out a weary existence in patient waiting for the moment that is destined to terminate it, my opinions were so unfavourable that I would willingly distrust their accuracy; but as opinions are the involuntary effect of impressions irresistibly made upon the mind, one cannot choose their character; and the opinion with which every thing in Egypt had inspired me was, that the combined evils of tyranny, superstition, and disease, inflict on its miserable inhabitants the severest scourges of human wretchedness.

Taking an early breakfast on the following day, I joined the Consul in a visit to the western shore of the Delta, landing at a village nearly opposite to the town. As we crossed in a small boat, a fresh northerly breeze but barely enabled us to stem the current of the river, which was then running at the rate of six or seven miles an hour in mid-channel, and about five near the shore. The breadth of the Nile, abreast of Rosetta, appeared to me to be about a third of a mile; the water was comparatively more muddy than the foulest water I had ever seen, and of a reddish yellow colour. Our walk through the gardens and rice fields of the Delta was delightful in the extreme. At present, although many parts are under water, from this being the season for the inundation of the Nile, (September,) the verdure and fertility which everywhere displayed itself was equally beautiful and surprising. The delicious shade formed by the wild and luxuriant union of date trees, sycamores, orange bowers, lemon walks, and the leaves of the broad banana,—the delightful solitude which invited to repose, and the silence which reigned around, broken only by the waving foliage of the trees, and the chirping of birds—the perfect calm, the balmy temperature of the air—every thing in short that belonged to Nature, invited to love and happiness; but, amidst these pleasing dreams, some wretched peasant, or some miserable hut, destroyed the charm of the illusion, and proved how much

despotic governments could mar the greatest blessings both of nature and of art.

It was past noon when we re-embarked to return to Rosetta, and the wind was still fresher than when we came out. As we continued to sail up the river, the boatmen, to avoid the strength of the current, kept so close to the Delta, whose banks were now level with the water's edge, that the tall rushes frequently hung over the mast and entangled their tops with the cordage. It was, in short, like sailing in an alley of verdure, and the novelty of the scenery increased the effect of its natural beauty.

We landed at a mosque called Aboo-Mandoor, about two miles above Rosetta, and ascending its tower, enjoyed a rich and extensive view of all the surrounding country. To the north west was Aboukir and the Mediterranean; to the south the serpentine windings of the Nile; to the east, the verdant carpet of the Delta; and to the west, a dreary desert of sand. The effect of this contrast was very striking, and although, from the flatness of the scenery and the uniformity of the horizon, it would not form a subject for the canvass, yet, as a picture of Nature on a grand scale, it was a charming view.

In endeavouring to trace the foundations, which are yet to be seen on this site of the ancient Bolbitinum, no plans could be taken, on account of its being, at present, used as a Mohammedan cemetery; but, in the exterior of the mosque below, several fragments of white and veined marble pillars had been used, the capitals of which were in high preservation, and those, we learnt from the old priest of the mosque, were found upon the spot, with some others, forty or fifty years since. After extending our walk until nearly sunset, we returned again by the Nile, and dined at the okella in Rosetta.

In the course of the day, my servant had procured the cabin of a jerm, or large boat, for our voyage to Cairo. This was appointed to sail to-morrow; the morning therefore furnished us sufficient occupation in procuring provisions and completing the necessary arrangements for our voyage.

The noise of the cannon which this morning (Sept. 26) announced the commencement of the feast of Bairam awoke me at day-light, and I took an early walk through the town to witness the festivities of the occasion. Even the grave and phlegmatic countenances of the Turks wore the smile of holiday, and among the lower orders all was licentious merriment. In one part was to be seen bearded age swinging on a rope suspended between date-trees; in another, a party of silent smokers; in a third, devotees at prayer on carpets in the middle of the streets; and not ten paces distant, crowds of all ages and conditions assembled round juggling Arabs, lost in admiration of their clumsy tricks, graceless attitudes, and still more

barbarous music. The multiplicity of objects so strange and so various, unfavourable as they were to calm examination, left impressions not highly honourable to human nature in general, and still less so to Oriental wisdom.

At noon I waited on the Consul to take leave, and after receiving coffee and a pipe at his hands, he accompanied me on board the jerm, preceded by two slaves, and dressed in his Consular uniform, a mark of respect he always paid "*les voyageurs Anglais*," with a view, as he observed, to support the dignity of the nation in the estimation of the Turks! They must have seen then with very different eyes from myself this caricature of dignity. When I beheld beside me a tall, meagre skeleton, arrayed in a scarlet coat, with blue facings and gold epaulets; white breeches and knee buckles; a waistcoat not more than ten inches deep; the waist of the coat reaching nearly as high as the shoulders, and the skirts crossing each other in sharp points below, like the overlapping of a pigeon's wings; and this towering column of a man, upwards of six feet six, surmounted by a cocked-hat, à l'Espagnol, the height of which was nearly double the length of its base, I hardly knew whether the smile was most excited by the whimsicalities of the dress, or the inconceivable vanity of the wearer.

At two P. M. we sailed from Rosetta for our voyage upon the Nile, and as my servant had made all the necessary arrangements, I found the cabin of the jerm furnished with conveniences and provisions for a much longer voyage than to Cairo. In the small apartment abaft us, were a Turkish family, the father of which was busily employed in stopping with bits of cotton every crevice in the partition that divided us, to prevent the possibility of our seeing them. The boat was from thirty to forty tons; the cabin we occupied six feet by ten, and the after one not more than five feet square. The cargo consisted of bale goods, on which three other Turkish passengers occupied the uncovered part of the boat in common. As the breeze was fresh from the northward, we made a rapid progress under the large blue striped lateen-sails which they use here; and keeping always so close to the Delta, as to touch the rushes from the deck, wherever the ground was sufficiently solid to walk, five or six naked Arabs jumped on shore, and tracking us with a tow-rope fastened to the mast, considerably accelerated our progress, plunging into the water when they met the interposition of a canal, and swimming through its muddy stream with an almost amphibious pleasure. The serpentine windings of the river presented at every turn delightful prospects of fertility, and its effect was considerably heightened by the innumerable villages which rose in every direction of the view.

Through the medium of my servant, who spoke Arabic perfectly well, and with whom I communicated in Italian, the passengers were desirous of conversing with me, a wish that I very readily indulged,

as it opened a source of amusement which proved abundantly productive. Without transcribing the whole of our dialogue, it would be impossible to convey an idea of their profound ignorance of every thing beyond their own country, or the strange opinions they entertained on geographical subjects especially. I embraced the opportunity of putting their credulity to the trial; and finding that the relation of remarkable facts had too much of probability to interest them, branched into the marvellous; but, strange as it may appear, although they very readily credited the story of beautiful women growing on trees in the West Indies, as quoted from one of their Gazeteers by Dallaway; and the existence of people in America, who, combining both sexes, were a male before and a female behind, having two separate faces on one head, separate bodies on one trunk, and capable both of becoming a father and a mother at the same time; though they believed all this, and stories even more absurd, nothing could prevail on them to credit that there was a part of the world where the empire of the year was divided by a six months' light and six months' darkness, although they declared themselves even more disposed to admit this than the absurd and laughable opinion that the world was a globe! In disproof of the former, they urged the necessity of prayer at sunrise and sunset, which would then be only twice in the year; but, while they reasoned amongst each other with all possible gravity on this subject, the rotundity of the earth diverted them excessively, and when to this was added its diurnal revolution, they could not suppress their laughter at the idea of our being thrown into the air like flies. To talk to them of gravitation confining us to our seats, was idle; they bid Giovanna tell me, that what I first talked of was rational enough, but this last was beyond all belief. Such were the sentiments of mercantile men, in rather affluent circumstances, and resident in the well-frequented metropolis of Grand Cairo.

We continued our progress until an hour after sunset, when the wind having died away, and the current gathered fresh strength from the culm. the boat was moored to stakes of wood driven into the marsh, for the night; and the Turks inviting me to join in their evening meal, I knew their manners too well to refuse their hospitable offer. They intended it as an honour; I, therefore, drank their thick coffee without milk or sugar, and puffed their long pipes with as much apparent pleasure as they could wish.

An angry mother and her crying infants on one side, noisy Arabs on the other, and the hosts of flies and mosquitoes, with still more offensive vermin, which seemed to dispute the empire of our cabin—added nothing to the sweetness of my repose. I watched with anxiety the slow progress of the stars, which were not more numerous than the enemies that tormented me, and waited for the dawn with an impatience known only to the restless. The planets had scarcely begun to fade before I was dressed, and, jumping on shore,

I saluted the rising sun amidst the rice-fields of the Delta, while the scattered peasants, with their faces turned toward his rays, were paying their morning homage to the deity in the humblest attitudes, touching the earth with their foreheads, and kissing his footstool with reverence. One would be tempted to admire all this apparent fervour of devotion, and to view with pleasure the indulgent bounty of Nature on the one hand, and the gratitude of her children on the other, did we not, in turning from the fields to the villages, see how blessings so inestimable are misapplied. Throughout the whole of Berimbál, where there are upwards of two hundred dwellings and five or six mosques, there is not a house in which an European peasant would lodge his cattle. A square space of ten or twelve feet, enclosed with mud-walls, and covered with loose straw spread on branches of trees laid across, with no other opening either for light or air than a door through which they crawl rather than walk, serves a whole family, whose entire furniture consists in a few earthen-vessels, which they use for all the purposes of cooking, eating, and every other household duty; chairs, tables, beds, plates, knives or forks, are articles unknown to them; rice is their constant food, which they eat out of the earthen pot in which it is boiled, with wooden spoons, sitting round a cow-dung fire in the middle of the floor, and inhaling at every breath sufficient smoke to suffocate any one else. The noon repast finished, the father dozes over his pipe, the mother sits at the door muffled in blue cotton rags, and the children roll in the filth as though it were their native element! The women, more ugly than can be described, covered their faces most scrupulously at my approach, though I had often seen enough of them to disgust me before I was perceived; but, as a proof of their singular ideas of modesty, I saw several, whose rags were not sufficient to conceal their sex, conversing with men absolutely naked, and, at the same time, covering their faces so completely that nothing but their eyes were visible.

After rambling until nearly noon, alternately charmed with the beauties which Nature every where presented, and disgusted with the pictures of wretchedness with which they were contrasted, I returned to the boat, which was now preparing to sail, having been detained by the morning's calm and strong current.

At four p. m. we passed between Fazzhàna and Shimsherree; at five, between Sindihour and Deheirout; and at sunset were abreast of Foua, the ancient Metelis, but said to contain no antiquities. This reach of the river lying in a N. E. direction, and besides being very short, having an island at each angle, the current runs here at least seven miles an hour, from the combined effect of those circumstances, to which was now added the influence of a strong N. E. breeze. Our Arab boatmen, however, soon leaped overboard, and stemming the stream, like crocodiles, conveyed a tow-rope on shore, to which the villagers clapped on, and, with a song precisely like those I have heard sung by African slaves in the West Indies, towed us,

against wind and current, as high as Surroumbey, from whence we made sail, and moored at midnight between the Delta and the small islands opposite to the town of Rahmaniah.

The bed had certainly no temptations for me, and I continued very willingly on deck, although the dew fell heavily, and the night air is considered dangerous; but I was disposed to defer until the last moment my entry into certain torment, from which, however I might temporarily escape by the strong inclination to sleep that time and fatigue had given me, I was sure to be prematurely disturbed, and to arise bitten, swollen, and unrefreshed.

Before sunrise on the following day, I had walked over Cafr Ibrahim, the small village at which we were moored, and intended visiting Rahmaniah, to see the commencement of the Alexandrian canal which leads from thence; but an early breeze obliged me to be on board, as we made sail at six o'clock. The boat making a short stay at Mehalet Aabaala, where a multitude of Arabs were assembled at a bazar of cattle, I went on shore for an hour; and mixing in the crowd, was diverted with the jockeying intrigues and disputes of the dealers. The cattle were numerous, and of excellent quality; sheep and goats in abundance; young camels of a finer shape than those of Turkey; asses of a strength and spirit unknown to our climates; and herds of buffaloes, which, immersed in the muddy river with nothing but their eyes above the surface, horns, ears, and even nostrils, being covered by a horizontal position of the head, seemed to enjoy the luxury of the bath with all the characteristic indolence of their keepers. Hogs, so plentiful with us, and who would enjoy this delicious mud with so peculiar a zest, are nowhere to be seen.

At ten o'clock we passed Shibaghtee, opposite to the ancient Naucrates, a wretched assemblage of mud huts, with only one mosque, and that appearing ready to fall. Near this village, and romantically situated amid a cluster of trees on the banks of the Nile, was a dome of good masonry, highly ornamented and surmounted by a crescent, rising from amongst a number of tombs arched over with brick-work. On inquiry I learnt this was the sepulchre of a poor individual, who, being a naked, helpless idiot while alive, was honoured as a saint after his death, and his sepulchre visited by the devout for protection on all occasions of danger.

At Cafr Jousar, the ascent of the stream lying in a north-east direction, the Arabs took their tow-rope on shore, and as I was desirous of exercise, the boat was steered close enough for me to jump on the bank. Although Europeans frequently pass this way, yet, as they seldom land, there are many villages in which they have never been seen, as appears to have been the case with the present. While the boatmen tracked along the edge of the shore, I passed through the inner streets alone, and caused apparently as much alarm as a lion or a hyæna would have done in a civilized town. Mothers

caught their children in their arms and fled, half closing the door of their hut, and gratifying their curiosity by peeping through in security. Naked boys and girls scampered in all directions until they gained some place of shelter, and even the men stood aloof with a stupid stare, until a lad about eighteen came running towards me, and, bowing, kissed my hand, put it to his forehead, and laid his own on his heart, the accustomed mode of respectful salutation in the East; when, pronouncing the word "*Rasheed, Rasheed,*" the Egyptian name of Rosetta, he gave me to understand, that he had before seen Franks at that place, and had reason to respect them. Some of the children acquired confidence from this example, and approached a little nearer, but fled the instant I held out my hand to them, although the paras it contained were a great temptation. So much had every thing the aspect of savage life, that I could scarcely believe myself to be on the banks of a great commercial river; and should have fancied that I was treading the wilds of America, did not the squalid misery and diseased appearance of those infant natives convince me how superior is the healthy freedom of unshackled nature to the double slavery of despotism and superstition. After an hour's walk, I returned on board with an improved appetite, and dined very heartily on roasted quails and rice, each of these abounding at the present season in the country.

The wind continued fresh from the northward, and we passed rapidly by Shaboor, the ancient Andropolis; Salamoon, the ancient Gynæcopolis, were abreast of Tonuop, the ancient Tana, at sunset, where the natives were dancing and making merry; and about midnight we brought up at the entrance of the Nadir reach, from its being too dark to tow through it.

We were safely through the reach at sunrise on the 29th, and I had benefited by the opportunity of taking an early walk through the fields of the Delta, and embarking again from the village of Nadir. On both sides of the river the country now began to assume a different appearance. In the upper parts of the Delta, the soil being, at the present moment, three or four feet above the water's edge, irrigation is no longer performed so simply as it is nearer the sea; the water being here raised by wheels turned by buffaloes, or dipped up from the river by two naked Arabs, with a sort of basket slung in cords, exactly as represented in the Fig. 2. of Plate XLVI. in Denon's Travels. The soil, however, is still the black loam or alluvial deposit of the Nile, and every where equally fertile. On the western bank, a greater portion of the land is applied to pasturage; herds and flocks are more numerous; the villages are smaller and fewer in number; nor are mosques so thickly strewed; date trees are less abundant; the flat line of the horizon is sometimes broken by hillocks of rising ground, and groups of plane, sycamore, and other trees, more frequently relieve, by

their fuller and more luxuriant foliage; the monotony of the scene. Pigeons and other birds are in such numbers, and so tame, that whole flocks of them would alight on our boat, and feed on the rice which was thrown to them—a confidence they acquired from their never being molested by the natives, who abstain from doing them injury, rather from motives of superstition than humanity.

Above Terreny, the ancient Terenthis, from which the route to the Natron Lakes and valley of the Dry River is generally taken, the sandy Desert begins to appear, and encroaching more and more upon the fertile borders of the Nile, as we advance upwards, at length reaches to the water's edge on the eastern side, continuing as high up as Benisalahmy, a village built entirely on the sand, without the least verdure about it. From thence it again improves, and the number of fine spreading trees that are scattered on the banks, give a great beauty and novelty of effect to the change.

A group of naked children of both sexes having gathered round the boat, as we kept close to the weather shore; some bits of bread were thrown into the water, into which they immediately plunged, and after a contest, in which it was surprising to see how well they supported themselves in the water, the successful ones swam to the shore without the use of their arms, which they held up out of the water, to prevent losing their prize; among these was a girl at least ten years old, an age at which females are often married, and sometimes become mothers in this country; she seemed as familiar to the element as any of the party, and was superior in strength and agility, most of the others being much younger.

Towards sunset, as we approached the apex of the Delta, at the junction of the Damietta and Rosetta branches of the Nile, we descried, in the southern horizon, the towering pyramids of Ghizah. Their western face receiving the sun's almost horizontal rays, contrasted with the dark sides of the opposite quarters, produced a beautiful effect, and I had an opportunity of bearing testimony to the accuracy with which Denon has described their well-defined angles, notwithstanding the blue mist of distance that surrounds them. It would be almost writing a history to give utterance to the thousand associations that took forcible possession of my mind, when my eye caught the first glance of those stupendous monuments. Ages appeared to pass in review before me; the volume of Time seemed open to my perusal, and obscure as were its early pages, the permanency of the characters that were visible in these stupendous efforts of human labour, seemed to triumph over the mutilated and blotted fragments of later records.

The next morning's fog, from the extreme humidity of the air, completely obscured our view of the country for several hours after sunrise, but when the atmosphere cleared up we were very amply repaid for this privation by the rich prospect which the approach to Cairo presents. The city itself, seated at the foot of the Mokat-

tam hills ; its dome-topped mosques and countless minarets ; the forests of lateen masts on the shores of Boulac ; the swelling Nile, covering whole islands and provinces with its abundant waters ; the fleets of boats sailing through branches and canals in every possible direction, appearing to skim along the surface of the fields themselves, from the verdure intercepting the view of the narrow channels ; the towns and villages that studded this variegated carpet of nature ; the busy hum of commerce, which could be already heard ; on the one side the silent desolation of the Desert, and on the other a splendid city, seated at the foot of imposing hills, and full of life and motion ; with the endless diversity of figures, dresses, complexions, countries, religions, manners, and even languages, of the crowds who passed in review before us, all contributed to form a picture more resembling the effect of fairy enchantment than reality. Neither London nor Lisbon, the only two metropolitan cities that I had yet seen seated like Cairo on the banks of a commercial river, and with both of which I was familiar, have nothing like this Eastern capital. Both on the Thames and the Tagus almost everything is characteristic of the prevailing national taste and manners ; but at this emporium of Oriental opulence on the Nile, the diversity is so endless, that it is almost impossible to point out any one style or character which prevails above another : and if I experienced strange sensations on landing at Alexandria, I felt infinitely more on entering Cairo, to which even Europeans have attached the epithet “ Grand,” and which the Arabs dignify by the expressive title of “ Mother of the World.”

THE EARTHQUAKE AT ALEPPO.

CALM is the midnight scene—the cooling hour
Wafts on its wings the dew’s refreshing shower,
And, borne from cedar groves, a gentle gale
Breathes a soft fragrance through Aleppo’s vale :
No awe-inspiring voice, no sound invades
The death-like stillness of the gloomy shades ;
Save where clear Sanga’s streams in num’rous rills
Gurgling descend from yonder palm-crown’d hills ;
Save where the Moslem guards, at th’ Antioch gate,
Carouse, and curse the Christians as they wait
The day’s return, or pace with thund’ring tread
The turret’s steep, that rocks its lofty head ;
Save where Mohammed’s sons their orgies hold,
And sherbet quaff on carpets fringed with gold.
Thy sons, Aleppo, lull’d in soft repose,
Their senses steep, nor dream of future woes.
Oh ! sleep, unhappy victims, while ye may ;
Death hovers nigh to gorge his destined prey.
No more shall pleasure’s cup, the festive dance,
Or midnight revel all your souls entrance.

The Earthquake at Aleppo.

Thousands no more the light of Heaven shall see,
Sunk in the womb of vast eternity.

Lo ! on a sudden darker horrors low'r,
And omens strange portend th' eventful hour.
No more soft zephyrs through the casements shed
Their cooling influence o'er the weary head ;
But hot, and stifling, as Sirocco's blast
Blown o'er the regions of the sandy waste,
A noxious exhalation stops the breath,
The fatal harbinger of woe and death.
Borne on the sultry gale, what rumbling sound
Flings to the troubled air its peal profound ?
Th' alarm is hush'd—again that sound of fear
In hoarser cadence strikes the astonish'd ear.
Hark ! the loud watch-dogs, with portentous yell,
Howl through the frightened streets a dismal knell,
And warning give, by wond'rous instinct led,
That dangers hover o'er Aleppo's head.
Hark ! how the temples and the mosques declare
Th' approaching shock of elemental war !
The conscious bells electric impulse feel,
And simultaneous ring a thund'ring peal,
Which seems to cry, O impious race, beware ;
The God of Vengeance comes ; he will not spare.
Grasping Omnipotence, his awful form,
Wing'd with red lightning, rides upon the storm.
What rocking shakes again the palsied earth,
Like Chaos struggling in primeval birth !
Not half so loud, through fields of æther driven,
Thunders the dread artillery of Heaven.
Fly, hapless victims ! fly, where safety calls ;
Your bulwarks totter, and your city falls.
In vain ye fly ! the demon Death behind
Speeds swifter than the sightless pinions of the wind ;
Quick as the lightning's glimpse the cleaving ground
Expands her jaws, and in the vast profound
Mosques, towers, and streets, with hideous wrack upturn,
And down the chasm precipitately borne,
Descend, and disappear. One general doom
Despatches thousands to a living tomb.
For them, alas ! the sun's reviving light,
The matin breeze, the balmy dews of night
Shall ne'er return. No friends shall close their eyes,
Or bathe with tears their funeral obsequies ;
In icy slumber bound beneath they lie,
Entomb'd in one wide gulf of misery.
Thy sons, Mohammed, to their mosques repair,
And, " Allah " cry, with unavailing prayer.

Earth's entrails heave ; the waving turret falls,
And 'whelms the prostrate crowd beneath its walls :
Escape is vain—in one short moment more
Each sufferer's doom, each dying pang is o'er.
Eternal God, could not thy temples save
Meek Israel's offspring from the yawning grave?
Jehovah speaks, " Repentance comes too late ;"
Jehovah wills, and what he wills is fate.
But must they die ? Will God, their guardian power,
Forsake his people in affliction's hour ?
That God, who oft for Judah's sons display'd
The stretch'd out vengeance of Almighty aid ?
Yes—he rejects their prayers ; the suppliant's groan
Flies up unheeded to th' eternal throne.
Weep, hapless Israel ! desolate, forlorn,
'Reft of thy sons, afflicted Sion, mourn.

The morning dawns, and with returning light
Surveys the horrors of th' eventful night.
Weep, Syria, weep ! for o'er thy sunken plains
The withering fiend of Desolation reigns.
Unhappy city ! is no vestige seen
To tell to future times the tragic scene ?
Thy doom is past—but o'er thy mould'ring stone
Black Ruin rears his solitary throne.
Thou too, O Sanga, startled from thy course,
Refluent didst feel disorder'd Nature's force ;
Aleppo's walls no more thy streams shall lave,
Or join its waters with Euphrates' wave :
No more along thy banks shall virgins stray,
Bathe in thy flood, or sport the live-long day ;
But sunk, or whelm'd beneath th' uplifted plain,
The weary pilgrim seeks thy streams in vain.
Yon mourners mark ! upon each haggard brow
Sit clouded grief, despair, and frantic woe ;
They, hapless band, denied Hope's cheering ray,
Through falling masses grope their darksome way,
Or crawl o'er bleeding heaps of kindred dead,
Whilst pendent tow'rs hang trembling o'er their head.
Here turn your eyes, and view yon loosen'd wall,
Which nodding frowns, and totters to its fall.
Ah ! whence that groan, which struck my startled ear ?
What mangled forms beneath yon pile appear !
Oh ! sight of woe ! and could not Mercy save
These tortur'd remnants from a ling'ring grave ?
The die is cast—Jehovah will'd to see
Aleppo drain the dregs of Misery.
See there immur'd alive in caves of stone,
Convuls'd with pain, unheeded, and unknown,

The Earthquake at Aleppo.

A mother groans ; o'erarch'd by tumbling tow'rs,
 (Whilst Death in ev'ry undulation low'rs,)

Beneath a cumbrous mass half crush'd she lies,
 Midst Desolation mourns ; 'midst Darkness sighs ;
 She clasps, with agony and distraction wild,
 Of many kill'd her last surviving child :
 Her blood-stain'd breast scarce folds her mangled boy,
 So late the author of its parent's joy ;
 He faintly asks, with meek-imploing eye
 That aid, O wretched state of Misery,
 Which the fond parent can no more supply.
 Exhausted Nature fails—A ling'ring doom
 Amidst this horrid scene consigns them to the tomb,
 What heart of stone this tale of grief can hear,
 Nor drop from Pity's eye one tender tear ?
 Ill fated city ! happy hadst thou been,
 If these disasters clos'd the death-fraught scene.
 The fiend, dire Pestilence, whose noxious breath
 Spreads foul infection, and whose frown is death,
 Uprears her form ; amidst the sulphurous blast
 She scowl'd, and wither'd Syria as she past.
 Dread Queen of Terrors, stay thy murd'rous hand,
 Nor add fresh horrors to a prostrate land.
 But see ! where outcast on the desert wild,
 Mourns widow'd Syria, Sorrow's humbled child,
 And cheerless at the sad remembrance sighs
 Of friends, of kindred lost, and dying agonies.
 Her mangled sons, bereft of food and home,
 Wishing to linger, yet compell'd to roam,
 Faint, meagre, wan, encamp beneath the sky,—
 The earth their bed, the heav'n their canopy.
 O ! hapless state ! e'en these are doom'd to feel
 The blood-stain'd vengeance of the bandit's steel !
 Ruthless as prowling wolves an Arab horde,
 Whose trade is plunder, and whose wealth the sword,
 Complete that havoc Nature had begun,
 And close the scene in blood—The work of Death is done !
 O ! more than Demons in a human form,
 Fiercer than scorpions, and the sweeping storm,
 Soft Mercy's path your footsteps never trod,
 Gold is your Idol ; Avarice your God.
 The pride of cities, as the pride of man,
 Endures not longer than the shortest span
 If God so will—Thus, chang'd by his command,
 The fairest realms become wide wastes of sand :
 Thus serpents hiss, where goodly cities stood,
 And streams like Sanga turn to pools of blood.
 Thus fell Imperial Tyre, great Ocean's queen ;
 No remnant lives to tell that she has been.

Thus fell proud Bâbylon ; such Aleppo's fate ;
Sad proof ! what judgments on the guilty wait.

Ye, sages, say, who skill'd in mystic lore,
Whence Earth's convulsions spring, each cause explore ;
Does Nature's law, does subterranean breath
Kindling supply these magazines of death ?
Does wild uproar convulse the womb of earth,
When vapours pent within contend for birth ?
Does steam volcanic boiling under ground
Burst the firm earth, and deal destruction round ?
Or does Heav'n's matchless king, whose awful might
All being owns, who spake, "and there was light,"
Wield the destroying elements, design'd
To humble guilty states, and scourge mankind ?
But whence those frightful visitations flow
God's wise decree permits not man to know :
Aim not, O man, beyond the limit giv'n ;
Submission learn, and leave thy fate to Heav'n.
O thou Supreme, whom awful glory shrouds,—
Array'd in light, and curtained in the clouds,—
Almighty king, arrest thy vengeful hand ;
Oh ! spare the sad remains of Syria's land.
Bid Britain, prompt Misfortune's cause to aid,
Heal the sad wound Affliction's dart has made ;
Bid her uplift a fallen state, and save
The few survivors from the destin'd grave.
But lo ! what white-robed Cherub quits the sky,
Attended by her sister Charity ?
'Tis Mercy's self, the messenger of love,
Vouchsaf'd to wretched man by God above ;
To sad Aleppo's sons she whispers peace,
And bids their sorrows and afflictions cease.
Inspir'd by her, Mohammed's realms unite,
And hail with joy the Gospel's purer light :
She comes, and Phoenix-like, new tow'rs arise ;
Aleppo strikes again th' admiring skies,
And wonders at her new-born destinies.
What mean these visions bursting on my sight ?
Whither does Fancy wing her rapt'rous flight ?
She draws aside, before my ravish'd eye,
The mystic curtain of Futurity :
The night of Error fades ; the Gospel's ray,
Flashing conviction, dawns with brighter day ;
Dispels the Koran, and its sensual plan,
To brutes degrading all the pow'rs of man ;
And Syria's sons, where first the Gospel shone,
Messiah hail again, and Moslem faith disown.

HISTORICAL SKETCH OF THE RISE AND PROGRESS OF THE BRITISH POWER IN INDIA.

No. XI.

TURNING now to other parts of India, we find that, even before the commencement of the war with Hyder, the resources of the Presidencies of Bombay and Bengal had been exhausted. In August 1780, General Goddard, carrying on operations on the western side of the Mahratta country, informed the Bombay Government that, in consequence of irregular and scanty pay, the army under his command could no longer be relied on. To such representations the Presidency was incapable of lending due attention; the supplies from Bengal were insufficient; loans had been contracted, and proved inadequate; there seemed to be no hope from financial expedients, and therefore those sage politicians appear to have abandoned themselves to chance.

When the Bengal Government received intelligence, in September 1780, of the irruption of Hyder into the Carnatic, they came immediately to the resolution, that advantageous terms of peace should be offered to the Mahrattas, through the Rajah of Berar; engaging, among other things, that, should the fort of Bassein (against which a force was then proceeding) be reduced while negotiations were on foot, other equivalent territory and revenue should be given up in its stead. Nizam Ali, Scindia, the Peishwa, and the Poonah ministers, were apprized by letter of these terms.

Bassein was taken by General Goddard, in December 1780; and immediately afterwards, upon the General's return to Bombay, an attack against the Mahratta dominions was planned. The army marched from Bassein in January 1781, intending to occupy the passes of the mountains, and threaten the capital, the more effectually to dispose the enemy for peace. The Mahratta army, then in the Concan, under the command of Hurry Punt Furkea, amounted, it was supposed, to about 20,000 men; and was posted on the road leading most directly to the capital. Retreating through the plain country as the English advanced, the Mahratta army ascended the hills; and there, being now joined by Holkar, seemed determined to repel the invaders. By a sudden and vehement attack in the night, General Goddard succeeded, however, in driving them from the pass, and in the morning found himself in possession of the summit, and within forty-five miles of Poonah. Here he received offers of peace from an agent sent to meet him by the Mahratta minister, and agreed to suspend for eight days all military operations, to allow all parties time for negotiation. The overtures of the English were rejected, however, by the Mahrattas, who hoped, in consequence of Hyder's invasion, to extort terms

still more advantageous than those now offered them ; and as General Goddard anticipated no great result from attacking Poonah, which the enemy had determined, in case of danger, to reduce to ashes and abandon, he left his position on the hills, and marched back towards the sea-coast, harassed all the way by small parties of the enemy, and losing many lives in repelling them. After this unsuccessful expedition, General Goddard withdrew his forces to Cullian, there to pass the period of the monsoon.

The operations of the English on the eastern side of the Mahratta country were at first disastrous, the army under Colonel Carnac being actually in danger of falling into the hands of the enemy, or submitting at best to a shameful retreat. An enterprize originating in despair rendered them victorious. They attacked the enemy during the night, who, expecting to take them prisoners on the morrow, entertained no apprehension of such an event, and were therefore easily thrown into confusion, dispersed, and defeated. Before this daring exploit was contemplated, Colonel Carnac had applied for aid to Colonel Muir, then stationed at Fattyghur ; but long before Colonel Muir could arrive with any reinforcement, Colonel Carnac had been compelled to have recourse to desperate policy, which fortunately succeeded. On the arrival of Muir, he used all his endeavours to effect a peace with Scindia ; but not possessing the power to command any thing, many months were passed in fruitless attempts ; and it was not until Scindia perceived the rapid diminution of his own resources that he listened to terms. A treaty, however, was at length concluded in October 1781 ; by which it was agreed that the English should restore all the territory they had conquered on the further side of the Jumna ; while Scindia, on his part, was not to molest the chiefs enjoying their alliance, and was, if possible, to effect a peace between the English and Hyder and the Peishwa.

While these transactions with the Native powers were going on, a contest of greater moment still was actually maintained between the Governor and Council, and the Supreme Court of Calcutta. The Supreme Court, according to an Act passed in 1773, consisted of a Chief Justice and three puisné Judges ; the power of this Court emanated not from the Company, but the King, who likewise nominated the Judges ; and it was entrusted with the administration of all branches of English law in India. Its power, in civil cases, extended over all claims against the Company or any British subject, and over all such claims against Natives, as the latter, at the time of entering into any contract, had agreed to submit to it. In criminal affairs, its powers extended over all British subjects, and over all persons directly or indirectly in the service of the Company, or of any British subject. The Judges of this Court received a fixed salary, but no fees ; yet, as they possessed the patronage of

certain officers depending on fees, they were not wholly removed out of the sphere of corruption.

To this Court the Parliament, with that ignorance and incapacity it so commonly displays, intrusted powers which every moment brought it into collision with the Governor and Council ; and thus two suprême authorities were created in India, which at first contented themselves with slight expressions of hostility, but grew embittered by degrees, and at length closed in deadly conflict, and by the fury of their animosity, spread uncertainty, suspicion, and terror through the provinces, and went near to endanger the stability of our power in the East. It is not the business of history, and much less of a sketch so rapid as the one we profess to give of Indian affairs, to trace with a minute pencil the detail of such a Court's proceedings. It is sufficient, for all useful purposes, to characterize them ; leaving such persons as can digest endless documents, whose analysis would swell the history of our country to the size of the Statutes at Large, to have recourse to the original papers, published by the command of Parliament, at the Company's charge, and as accessible as such a chaos can be said to be. No writer who has to describe such transactions can do more than speak of them succinctly, if he indulges the hope of being read : posterity can have little to do with the details of a petty lawsuit in Bengal, although, if men possessed infinite patience and immortal life, it is possible they might derive some assistance from the mass of evidence that has been accumulated on this subject.

So soon as this creature of the "wisdom of Parliament" began its operations in India, darting out writs, like fearful missives from a catapult, the minds of the ignorant and timid Natives were beyond conception agitated and alarmed. They saw the most respectable of the Zemindars arrested in their houses by bailiffs, hurried away, frequently from a distance of five hundred miles, to Calcutta, and there, if not prepared with immediate bail, a thing they had perhaps never before heard of, buried alive in a loathsome and pestilential dungeon. Sometimes venerable Musulman magistrates were arrested for discharging their legal duties, now disputed by the Supreme Court ; and though, from age and infirmity, incapable of long journeys, driven away to Calcutta. In one instance, an upright and impartial magistrate, arrested by the officers of this Supreme Court, and dragged away on the usual journey, expired on the road, thus escaping, by death, the contumely and dishonour, which must have been far more terrible to an ingenuous mind.

By the removal, ruin, or flight of the Zemindars, (for many, possessed by an indefinite dread of the Supreme Court, actually fled away,) the proper collection of the revenue was rendered impossible. The ryots, always disposed to evade the exactions of the Company, eagerly availed themselves of the present confusion

to escape the payment of their rents ; and thus, by the proceeding of the judges, all the operations of Government were impeded. Seeing affairs taking this disastrous turn, the Governor-General and Council, alarmed for their own sakes, as well as for the Company's, hastened to lay a true representation of the case before the Court of Directors in England. The Directors, who act generally as though they were a college of despots, experienced some hesitation to proceed, in this instance, on their usual principles ; as the judges, deriving their power from the King, assumed in their proceedings a tone of superiority over every thing connected with the Company, which overawed and subdued the pride even of the Directors themselves. Therefore, not venturing to interfere with the pretensions of King's judges, this court of sovereigns condescended humbly to petition the ministry to interpose their authority between the *majesty* of the Company and the prerogatives of the Supreme Court. They represented that, according to the intention of the legislature, the zemindars, farmers, and other occupiers of land, who, at the suit of Natives, had been tormented with writs, were by no means subject to the jurisdiction of the Supreme Court ; that in arresting, removing to a great distance, and imprisoning in the common gaol, persons thus legally exempt from their power, the judges had been guilty of injustice and violence ; that, in consequence, the Natives were highly exasperated, every man feeling himself exposed to suffer from the mysterious action of a Court at Calcutta every imaginable evil ; and that this state of alarm and suspicion menaced the total destruction of the revenue.

They, moreover, represented, that the Supreme Court not only thus indirectly impeded the collection of the revenue, but that it actually disputed the authority of the regular revenue courts, and usurped over them an absolute power : releasing persons whom they had confined, entertaining suits properly cognizable by them alone ; prosecuting judges for acts done in Court in discharge of their duty ; indirectly supporting farmers of the revenue in fraudulent proceedings ; and thus annihilating, or, at least, suspending the Duannee Courts, and terrifying, by furious menaces, the Governor-General and Council, from the proper discharge of their duty in their capacity of a Court of Appeal.

The Directors also represented, that the Supreme Court had pertinaciously and absurdly demanded the production in Court of papers which might contain the most *secret acts* of government ; and, upon the secretary refusing to produce them, had threatened him, and such members of council as had voted against their production, with an action, &c.

And they further represented, that the Supreme Court, in direct contradiction to the intentions of the legislature, and with an insolent disregard, not only of the laws and customs of the people of India, but also of common justice and equity, had put in force,

against Maha Rajah Nuncomar, the English law against *forgery*; thus committing murder under pretence of fulfilling their duty, forgery not being a capital crime by the laws of India, where the offence was (or was said to have been) committed. The Directors very forcibly illustrated their position, that English law was never intended to be put in force against the Natives, by inquiring whether every man convicted of *bigamy*, "which," said they, "is allowed, protected, nay, almost *commanded* by their law, should be *burnt in the hand if he can read, and hanged if he cannot read*?" "These," they proceeded, "are some of the consequences which we conceive must follow, if the criminal law of England be suffered to remain in force upon the Natives of Bengal. If it were legal to try, to convict, and execute Nuncomar for *forgery*, on the statute of George II., it must, we conceive, be equally legal, to try, convict, and to punish the Subahdar of Bengal, and all his Court, for *bigamy*, upon the statute of James I."

While the Court of Directors in England were making these alarming representations of the injustice of the Supreme Court, that Court, far beyond all immediate control of King, Company, or ministers, was proceeding triumphantly in violence and iniquity. We have already observed that details of such proceedings are beside our purpose; it will, we apprehend, be quite sufficient to remark, that in a suit instituted by a nephew against his aunt at Patna, for the purpose of recovering from her a very large inheritance, which he contended she had possessed herself of by forged testaments the Supreme Court developed its whole policy, crushing the provincial council, and punishing the Mohammedan magistrates, as before stated, for performing their legal functions.

In 1777, another instance of the indecent and furious spirit of the judges of the Supreme Court occurred at Dacca: one of the attorneys of this Court, which were now multiplying in the provinces, like locusts in the desert during a mild winter, had that year taken up his residence in this ancient city; (in India the motions of an attorney were then watched with more solicitude than the symptoms of the plague would have been;) and, in order substantially to extend the jurisdiction of the Supreme Court, and increase his own gains, he obtained from one of the judges a process of arrest against the Duan, or principal public officer of the Phousdar's Court. The attorney attempted to seize, in open Court, the Duan, or principal agent of the Phousdar, but not being permitted to do so, he proceeded to the Phousdar's house, broke down the gate, entered it forcibly, and was proceeding to violate the sacred walls of the harem, the most unpardonable outrage that could be offered to a Musulman, when the Phousdar, now roused to ungovernable indignation, resisted, and an affray took place in the court of the house. The father of the Phousdar was wounded in the head with a sword by one of the attorney's attendants, and the Phousdar re-

ceived a pistol-shot from the hand of the attorney himself. These proceedings were highly pleasing to the Supreme Court ; and Mr. Justice Hyde, one of the judges, immediately wrote to the military officer commanding in Dacca, to afford their attorney whatever assistance he might require, adding, that undoubtedly the Court would support him in what he had done. The conclusion of all this was, the Provincial Council bailed the Duan, and then transmitted an account of the transaction to the Governor-General and Council, adding, in forcible language, a representation of the dreadful consequences of such proceedings upon the execution of the laws.

Other examples of the tyranny and intemperate interference of the Supreme Court might be easily adduced ; their system was to perplex and terrify the Natives by process and arrest ; to encourage paupers and others to institute proceedings against wealthy zemindars, in order to ruin them by exorbitant fees and damages, if cast ; to enhance to an enormous amount the costs of an action, sometimes to treble the sum recovered ; to pretend that individuals had been rescued from the hands of their officers, and under such pretext to break open houses, and carry their wanton researches even into the secret apartments of the women. No matter whether individuals were legally under the power of the English or not, provided they were unable to defend themselves from oppression ; the Naib Nazim, a person owing no allegiance to the King, nor obedience to his laws ; deriving neither security nor benefit from the administration of those laws ; this person, we say, had, in one instance, a process of contempt, and in another, a civil process issued against him.

In the month of August 1779, a case occurred which brought the disputes of the executive and judicial powers to a crisis. This was a suit in the Supreme Court, commenced against the Rajah of Cossijurah, by Cassinaut Baboo, his Calcutta agent. The Rajah, to avoid submitting to the decisions of the Court, which all men had now learned to consider with dread and hatred, absented himself from his home ; and upon this, an order was issued to sequester his property. To execute this order, a sheriff was despatched with an armed force, headed by a sergeant of the Court. Arriving at the Rajah's palace, and attempting to make forcible entry into the apartments of the women, they were withstood for a time by his faithful servants, who were at length, however, beaten and wounded, and compelled to retire ; the party then forced their way into his zenana, plundered his effects, burst into his place of religious worship, and committing various outrages, stripped it of its ornaments. A stop was also put to the collection of the revenue, and the farmers prohibited from paying him their rents.

No sooner had the Governor-General and Council heard of this procedure, than they despatched orders to the military commander at Midnapore to intercept and detain in custody the party of the

sheriff. These orders came too late to prevent the outrage; but the whole party were afterwards seized; and affairs having once come to this extremity, a notification was issued to all Zemindars, Chondries, and Talookdars in the three provinces, that none, unless they were British servants, or bound by voluntary agreement, were to be considered subject to the Supreme Court, or bound to obey its process. Provincial chiefs were likewise commanded to afford the Court no aid in carrying its orders into effect.

But this by no means quelled the licentious spirit of the Court. For, in spite of the counter-mandate of the Governor-General and Council, the Company's attorney was committed to the common jail of Calcutta for contempt, and harassed with a criminal prosecution. And, to carry their insolence as far as it would go, they next proceeded, as if actuated by a spirit of lunacy, to have the Governor-General and Council individually served with a summons to answer to Cossinaut Baboo, in a plea of trespass. These summonses, issued against them for acts performed in their collective capacity, as the executive power, they naturally refused to obey.

This last act took place in March 1780; and, in the meanwhile, a petition, signed by the British inhabitants of Bengal, against the authority exercised by the Supreme Court, and another from the Governor-General and the Members of the Supreme Council, together with a third from the Company itself, were prepared and presented to Parliament in 1780, and referred to a select committee. In defence of the Supreme Court nothing was brought forward excepting three letters from the Chief Justice to Lord Weymouth, then Secretary of State. But from these, and from every thing that appears, it is clear that the Supreme Court, perceiving distinctly the intention of Parliament, but remarking, at the same time, the vagueness of its language, determined to follow the interpretation which would allow them most power, and the amplest sources of profit. It is, in fact, virtually confessed by the Chief Justice, that he regarded nothing in the administration of justice but the profit of the lawyer; and we suspect that his opinion has been that of many an English judge.

From the year 1773, the Provincial Councils, sitting as Duannee Adaulut, or court of civil judicature, had wholly administered the civil department of the native law; but now, in April 1780, a new arrangement was adopted at the motion of the Governor-General, approved by the Supreme Council. The business of these courts was divided into two parts; that which concerned the revenue; and that which concerned individuals; and the latter was referred to a separate Court, denominated Duannee Adaulut; while the former continued to be transacted in the provincial councils.

In order to mollify the animosity of the Supreme Court, Mr. Hastings, about the same time, conceived the plan of creating a new

Court for the Chief-Justice, which should at the same time gratify his avarice and ambition. Such a Court, under the name of *Sudder Duannee Adaulut*, had in fact been projected in 1773, and was to have consisted of the Governor-General and Council in person ; but as its functions had never been discharged by them, it could not properly be said to have had any existence. Now, however, a *Sudder Duannee Adaulut*, that is, a court to receive appeals from the provincial *Adauluts*, was actually created, and Chief-Justice Impey was appointed Judge, with a salary of nearly 8000*l.* a year, dependent on the Governor-General and Council. For seven years, therefore, the Provincial Councils had operated without control ; their decisions for so long a period were final : injustice, cruelty, corruption, if any thing of the kind took place, triumphed in impunity ; there was no one to whom the oppressed could look for equity. And now, when a court of appeal was instituted, it sprung, not from any desire on the part of Government to create a check on the Provincial Councils, not from any regard to the principles of justice, not in the least ; but simply to purchase the co-operation of the Chief-Justice and the Supreme Court, of which the Chief-Justice was the informing and directing soul ! The Governor-General's motion in Council respecting this new court, was, indeed, opposed with strong arguments by Mr. Francis and Mr. Wheeler, but quite in vain ; the majority carried it ; and Sir Elijah Impey became Judge of the *Sudder Duannee Adaulut*.

When intelligence of this arrangement between Mr. Hastings and the Chief-Justice reached England, the Directors regarded it as a matter of the highest importance, and immediately procured the opinions of the most respectable lawyers in the country on the subject. These opinions were contradictory. Some thought the office of Judge of Appeals perfectly compatible with the duty of Chief-Justice. Others came to a decision directly the reverse. The question was then brought before the Select Committee of the House of Commons, which, judging more wisely, decided that the powers conferred on Sir Elijah Impey were exorbitant and dangerous, as they affected the fortunes of every man in Bengal by holding out to Mr. Hastings the ability of perpetrating any atrocity he desired, under the name and with the sanction of the law.

In consequence of these discussions, an act of Parliament was passed to re-organize the Supreme Court, and deprive it of powers which it could not exercise with safety. And in May 1782, the King was petitioned by the House of Commons, to recal Sir Elijah Impey, to answer to the charge of having unlawfully accepted an office incompatible with his duty.

In the meanwhile, various changes were effected in the judicial system in Bengal, as well as in the mode of collecting the revenue. But so constant were the vicissitudes to which the mode of operation in

every department of Government was at that time subject, that the bare enumeration of changes would occupy a volume, though nothing, we conceive, could be less instructive than a lengthened picture of the miserable attempts at political arrangement which those ignorant Governors imagined. The permanence of our power in the East has been undoubtedly the gift of chance, and in no way the effect of profound policy, or benevolent administration of government; for we think the most hurried reader of British-Indian history must every moment be struck with the disproportion between the empire and the talents of its rulers; so vast and splendid is the former, and so weak, and, with very few exceptions, so contemptible, have the latter always been. The secret is to be explained by the character of the Hindoo people. No other nation could be made to wear for ten years so contemptible a yoke. Affghans, Tartars, Persians, though governed by despots, have despots of their own faith and race, who respect their national character, and yield belief to the same superstitions. The Hindoo beholds himself and his gods equally the jest and disdain of his rulers. Fettered by the odious contrivances of his legislators, subdued by strangers, bound by chains of prejudice which nothing short of a miracle seems adequate to break, he is the most degraded and the worst governed human being on the face of the whole earth.

THE FAREWELL.

(From the Arabic of Abu Mohammd.)

TRANSLATED FROM THE GERMAN.

THE anchor rises; merrily resounding
 Along the shore is heard the seaman's lay;
 Then first I knew, my arms my love surrounding,
 How much more looks, than any words, can say;—
 Her gaze, that dwelt upon the cliff, discover'd,
 'Twas there that first she to my vows replied;
 On her pale lips a languid farewell hover'd—
 That was not yet half-spoken ere it died.
 By deep-conflicting passion wildly shaken,
 She sank within my arms, distracted, pale,—
 As sinks the forest by the blast o'ertaken,
 So shook my bosom with a kindred gale.
 Her passionate embrace enclasp'd me stronger,
 As now the vessel on her voyage held;
 And swooning, she exclaim'd, sustain'd no longer—
 "Would that each other we had ne'er beheld!"

LETTERS FROM A CONTINENTAL TRAVELLER.

AN Indian friend, who is at home on furlough, having determined to pass the winter in a journey over the continent, through Germany to Vienna, and thence by Venice into Italy, has permitted us to have access to most of his epistles written *en route*; and as they appear to us to contain new and agreeable pictures of men and things, communicated in that unreserved familiarity which forms the great charm of friendly correspondence, yet, at the same time, sufficiently removed from all trifling and common-place, to delight more eyes than those for which alone they were originally intended, we have given them a ready place in our pages, where, we doubt not, they will form an agreeable relief to the graver subjects to which the attention of our readers is so frequently called. We give the letters in the order of their successive dates, with scarcely an omission beyond the mere compliments to friends honoured with remembrance.

Frankfort on the Mein, Nov. 30, 1826.

Having got so far on my way, I make use of a little leisure to inform you of some of my adventures hitherto. Since leaving Brussels we have been in almost perpetual motion, seldom stopping any where longer than was necessary to see the curiosities contained in the various places which fell in our way. The truth is, we are considerably too late in the season to enjoy the very fine scenery to be found in this country, without the disagreeable accompaniments of frozen toes or dripping garments. Had we been aware of the fogs, rain, and snow, we should have had to encounter, before reaching Vienna, probably we should have been *decidement prononcé* (as your uncle would say), for the more mild and unambitious route, which the South of France offered, to Italy. Yet every step I advance makes me more and more rejoice in the choice we have made. For what are soakings or shiverings, compared with the beautiful churches we have seen—of which even Prout can give but a faint idea! or who would not encounter cold and hunger, if an opera was to be the reward! Even rising before the sun, and dressing (oh, horror!) by a dim lamp, on a cold November morning, may be compensated by seeing the sun rise from behind some of the romantic mountains on the Rhein.

Now for a little detail. From Brussels we went by Louvain, Liege, and Aix-la-Chapelle, to Cologne, where we first fell in with the Rhein. These places are all of them curious in their way; some of them possess good pictures, and all of them contain fine specimens of Gothic architecture. I am sorry to say their taste in music is of Gothic character also, that is French; for nothing is to be heard in them but Parisian trumpery, imported from the Feydeau

or the Veaudeville. Cologne, I need not tell you, is the source from which the unrivalled *eau* flows. The people here seem to have no idea that travellers can come to Cologne for any other purpose than that of procuring a supply of the precious stream. I was persecuted out of my life by clamorous and importunate dealers, who were nearly tearing each other in pieces for my custom; and there was no persuading them that I came to see the Rhein, and not to buy essences. The cathedral at Cologne is the finest fragment of architecture I ever beheld; but, alas! it is but a fragment—never to be completed. The design was gigantic, but not so the funds of the projectors; and it has been calculated that to complete it, according to the original plan, would take 120 millions of dollars and 120 years. So you may judge of the nature of the edifice, allowing, of course, much for the exaggeration which usually accompanies such calculations.

From Cologne up to Mayence, we followed the river closely, and nothing that I could say could give you even a faint idea of the extraordinary grandeur of the scenery. It is a combination of all that is perfect in landscape. Nothing is so unsatisfactory as descriptions of scenery, so I will leave you to form your beau idéal of the banks of the Rhein, being sure you never can come up to the reality. Coblenz and Mayence are both garrison towns, and contain little worthy of notice. All the way from Cologne (indeed from Aix) to Mayence is in the Prussian dominions. At the latter place we crossed the Rhein on a fine bridge of boats, and bade adieu to it with no little regret. By singular good fortune, the weather, which had been almost uniformly rainy and dull since we left England, became clear and dry when we got to Cologne, and we had three as beautiful days for going up the river as we could have wished for. We travelled leisurely in a carriage hired for the trip, and altogether enjoyed it exceedingly. The foliage was a little scanty, the frost having nearly stripped the trees; but the tints of what remained were such as to throw burnt sienna and yellow ochre, aye and brown pink too, completely in the shade. After crossing the Rhein, we passed through a part of the little Duchy of Nassau, and got to Frankfort, which is the largest and finest town we have yet seen, excepting Brussels.

Since leaving the Netherlands, we have been able to hold little communication with the natives of the country. French is hardly at all spoken in Prussia; and though in all great towns there are people at the inns who speak French, yet at the intermediate places where we halted for refreshment, or rest for the horses, we were often obliged to make known our wants and wishes by means of signs, and some dozen or so of bad German words, which we happened to know. In Switzerland I had picked up some jargon, but it was *patois*; and 'mio rispettabile congiunto' had learned somewhat of Dutch at the Cape of Good Hope; but we found that

neither Swiss nor Cape German was current amongst those who piqued themselves on the purity of their dialect. Here we find a civilized and French-speaking people, and I do not suppose we shall find much difficulty between this and Vienna.

It is now time that I should say something of what I have met with in the musical way. Not much, until coming here, for, as I before hinted, the Netherlanders have the bad taste to prefer French music to German. At Brussels there was no opera, at least only a French one, though they had a singer here, a Mad. Dorus, who has a voice and execution such as I have seldom heard surpassed, and a degree of Italian *gusto*, which might be made to produce much, if properly cultivated. It has been my fate to be haunted by 'La Dame Blanche,' a poor opera, by Boildieu, which is I believe now making the tour of Europe. Wherever I have been, this music has been in representation, and I should have been heartily sick of it, even had it been much better than it really is; but it is really trumpery. At Paris it has excited a perfect *furor*, and succeeding the Neige and Jocko, has given its name to every thing; thus *robes* are "à la dame blanche," and so are *coiffures*, &c. At Coblenz, I heard a grand church service, with Beethoven's music, and a full orchestra, which was really a treat. The Prussian military music is also very fine. At Mayence also I had the good luck to come in for a concert, where there was some tolerable singing, and most excellent instrumental music; but here, I have enjoyed a treat such as is not often to be met with, viz. the 'Flauto Magico,' in German, as composed by Mozart. I need hardly say that it was most excellent. The company was one of the best I have ever met with any where; all the parts were well filled, and some of them, particularly the prima donna and basso (Papageno), were first-rate singers. I never heard Mozart so well sung. The orchestra was by far the most perfect I ever witnessed; about forty in number, and in such admirable order that it seemed like one immense Apollonicon, producing an astonishing effect in *forte* passages, and the utmost delicacy in accompaniment.

I had long wished to hear one of Mozart's operas in the original; but here was a gratification beyond what I thought possible. The German words harmonize better with the music than I expected; in the airs, particularly in the bravura parts, they contrive to soften and liquify the gutturals which grate on our ears so much in prose, in a manner of which I did not imagine the language would admit. In recitative, it is very unpleasant. On the whole, it is, next to Italian, the language best suited to operatic music, but falls inconceivably short of the sweetness and softness which Italian alone can communicate to music. One peculiarity of the German mode of giving operas is, that all the recitative, which in Italian operas is accompanied in chords with the piano forte, double bass and vio-

louncello, is with them given in simple dialogue, that part only being accompanied by the orchestra which is termed *recitativo obbligato*. This I do not like, and certainly your papa would not like it, for it would deprive him of the Lindley and Dragonetti chords, in which he so much delighted. Munich is admitted to be the best opera in Germany, next to it Vienna, and then Frankfort and Darmstadt, which dispute the palm. I hope to be able to judge of all their merits, and if they all only equal what I have heard, I shall be well satisfied.

We go to-morrow to Darmstadt, which is only about fifteen miles from this; then to Heidelberg, Carlsrouhe, Stutgard, Augsburg and Munich, and thence to Vienna. We shall hardly get to Vienna before the middle of next month, nor to Venice before the end of it.

Munich, Dec. 10, 1826.

I resume, in the present letter to you, the thread of my narrative, if such unconnected communications may be so termed, continued in an epistle to your sister, from Frankfort, (which I hope arrived safely,) and commenced in one to your aunt from Brussels. This, then, may be considered as the *troisieme livraison*, which suits you well, that being your own standing in the family bibliotheque. So much for preface, short enough I hope; now for the text. From Frankfort hither we followed exactly the route which I mentioned, and stopping occasionally a day where there was any thing remarkable to see, such as the great tun at Heidelberg, which is 24 feet high, 30 long, and takes 15 days to fill it. Do not suppose, however, that our curiosity was confined to such ignoble wonders, more calculated to excite the amazement of ale-drinkers like Beppe, than to awaken the sympathies of refined *conoscenti* like us. But really there has been no want of attractions in most of the towns through which we have latterly passed, and had we not been eager to advance, we could most agreeably have sojourned a few days in each of them.

Darmstadt and Carlsrouhe are perfect models of beauty, the prettiest little pocket capitals in the world, just such fairy towns as Mr. Burton, if he had taste enough, might plan and lay out in the Regent's Park. Of the theatre at Darmstadt, I shall say somewhat hereafter. Stuttgart, the capital of Wurtemberg, is a very fine city, containing numerous fine pictures and statues. Dannecker, the sculptor, who is by many esteemed the first, since Canova's death, resides there, and his studio is one of those rich treats which I thought were confined to Rome. Ulm and Augsburg are both large places, but destitute of any very remarkable objects, excepting the cathedral at the former, which is one of the purest and most beautiful pieces of gothic I have yet seen. With respect to this place, its curiosities and attractions are so numerous that it would require weeks, instead of the days we can afford to

bestow on it, to see them properly. It is a most noble place, and comprehends every thing which can beautify a capital. I talk, of course, of what meets the eye, for the Government is detestable, full of suspicion and illiberality, to a degree that renders a residence under it almost intolerable. Without performing the office of a guide-book, for which I have neither time nor room, I merely mention, that the picture-gallery, which, next to the famous one at Dresden, is considered the first in Germany, contains a vast number of inestimable works by the best Italian masters; at which I could gaze for hours, were it not that the King of Bavaria is so stingy of his fire-wood, that he allows no stoves, consequently the gallery is like an ice-house, and perpetual motion becomes indispensable to those who are at liberty; and the very sight of the unfortunate students copying pictures, and the keepers watching that they do not put them in their pockets, with their blue noses and chattering teeth, is enough to give any one a fit of ague. So much for towns, now for country.

Since we left Frankfort, the winter has fairly set in. Heavy falls of snow have taken place; hills, plains, and trees, no longer "in verdure clad," have put on their winter garments, and are all strictly in the fashion, *à la dame blanche*. Sledges are more common than wheeled-carriages, and women drag their children after them in little sledge-cars, instead of carrying them in their arms, and carry their fruit and vegetables to market in the same manner; in short, every thing is as wintry as frost, snow, and cold, can make it. In such a state of things, scenery is out of the question; and we have abandoned all search after the picturesque, and think only of getting as speedily as possible from one town to another. The want of public conveyances renders this sometimes a matter of difficulty, and we have frequently been obliged to resort to *voiturier* travelling, a mode fraught with all the miseries which slowness, early rising, and late arriving, can inflict. We have often been obliged to get up at four in the morning in order to be off by five, (the widest yawns may be excused under such circumstances,) to travel all day at the rate of three miles per hour, making frequent and long stops to refresh the horses, and to arrive at our sleeping place at seven or eight at night, having, after all, accomplished perhaps only thirty miles.

Our knowledge of German has, I fear, but little improved; but we contrive to get on tolerably well, by dint of phrases culled from a vocabulary, and assisted by much gesticulation. I really begin to consider French almost as my native language, and feel myself as if quite at home when I meet with any one who speaks it. The Germans appear to me a very affable and good-natured people, full of politeness towards strangers, and not at all disposed to extortion; but these are surmises founded in a very superficial knowledge of the people, and an almost total ignorance of their language. Of

one peculiarity, there can be no doubt,—that is, that they are a smoking nation. Every mortal has a pipe in his mouth, so that it may almost be considered as a part of the man. The waiter who answers your call, the coachman who drives you, the tailor who measures you, the cicerone who shows you the sights, all and each are furnished with the customary appendage, and it is only in the intervals between the whiffs that responses are extracted. I have not yet had occasion to consult a physician, nor have I seen a priest mount the pulpit, but I should almost expect the former to feel my pulse with his pipe in his mouth, and the latter to draw inspiration from the favourite tube, and to puff during the periods of his discourse.

At Augsburg there happened to be a *société* held at the inn, where we put up for the night; that is, a sort of conversazione, where the gentry assemble to talk, play cards, and to hear music. The landlord of the hotel introduced me, and the scene was really most characteristic. Imagine to yourself, a fine large saloon, with tables ranged along the sides, at which ladies and gentlemen were seated in easy conversation, regaling themselves with beer, coffee, and liqueurs. In the middle of the room, a round table, at which were seated nine or ten amateur musicians, who, at short intervals, performed the overture and other parts of the Frieschutz most exquisitely. Having imagined all this, you have the general design of the scene; but it would not be quite German without the pipe, which, as usual, was in general use, and dense clouds of smoke arose from all quarters of the room indiscriminately, which seemed in no way to discompose the ladies. Hardened as I am in those matters, it was almost too much for me, and brought tears into my eyes, which were probably ascribed to the melting nature of Weber's music. I was treated with great politeness by several of the party, and was very well pleased to have so good an opportunity of seeing the sort of society which a German town exhibits; observe, they were not *low* people, but persons of rank and consideration in the town.

We make a point of always dining at the 'table d'hotes,' as well with a view to see the manners of the country, as to avoid being served with the relics of the table—a *rechauffé* of that description being usually the lot of those who are too fastidious to accommodate themselves to the hours and ways of the people. The hour of dinner varies from twelve to one; sometimes we have dined at half-past eleven. The fare is extremely good, though we seldom know of what it is composed; indeed, all such inquiries ought to be abandoned as extraneous, though it is impossible to avoid surmising, from the number of cat-skins seen in the shops, that the slaughter of these animals must be considerable, at the same time that hare is a very favourite dish. Snails are sometimes produced as a great delicacy, but they are very scarce, and we have not often

such treats. Some persons, who cannot take those things so philosophically, abuse the ways of the people as unchristian and gothic, and lose all patience with them, because they force others to eat their meat with the same knife and fork which they use for fish, and because they are such barbarians as to hand about pudding during the middle of dinner.

At Darmstadt I had the good fortune to witness a scene, which was almost worth a pilgrimage to Mecca. It was the Grand Duke conducting his own orchestra. This he always does in person at rehearsals, though his royal dignity will not admit of his doing it at public performances. He is an old man of seventy-three, and was an excellent violin-player himself, and a real *funatico* he is. Such is his passion for music, and the pride he takes in bringing it to perfection in his capital, that he has succeeded in rendering the Opera there one of the best in Germany. The orchestra is perhaps unequalled in Europe, being eighty in number, with seven double basses, twelve violoncellos, and a profusion of brass instruments. He spares no expense in collecting the very best performers, and superintends them with the most paternal anxiety. It was really a sight to see this old veteran, though nearly bent double with infirmity, hobble on the stage in *pieno fco*, with sword, uniform, &c., and, placing himself at the desk set for him, immediately over the orchestra, seize the directorial truncheon, and beat time, and direct the corps, with all the anxiety and energy of a composer on the first night of the production of his opera. His expressions of approbation were oftener murmured forth when any thing particularly pleased him; he was equally on the alert, however, when any thing was carelessly executed, and on one or two occasions he made the orchestra repeat passages which were done without due attention to expression or effect. He often harrangued the choruses, (which, by the way, are the most numerous, and the best I remember to have heard,) going up and explaining to them when they were wrong. Throughout the whole he attended with the most unremitting solicitude; and when it was all over, the actors and actresses passed in review before him to take leave; the former he shook by the hand, and the latter he favoured with a salute. *On a crut remarquer* somewhat more than ordinary warmth in the embrace he bestowed on one who happened to be the handsomest of the set, doubtless because she sung the best; the instrumentalists were dismissed with a simple bow. The singing was very good, though the singers were not individually so excellent as those I heard at Frankfort; but the orchestra was all that could be wished; and as the opera was one of those instrumental works in which the orchestra plays first fiddle, it had full scope for display. The opera was Gluck's *Armida*, esteemed his chef d'œuvre, and certainly a grand and scientific composition, deficient as usual in melody. As it was the last rehearsal, it differed only from the

first representation in the want of scenery and dresses, which was amply made up for by the novelty of seeing the Grand Duke *en directeur*. The theatre is worthy of the establishment. It was a matter of favour to get a sight of the whole; it is only granted to strangers and favourites, and there were few besides ourselves there.

I have left myself no room to speak of the opera here, farther than to say, that the glory has in a great measure departed with the late King, who was its patron. The present King patronizes ballets and pantomimes, and has disbanded the fine Italian corps which his father maintained. The orchestra, however, remains in all its original excellence. I heard it, though put to the ignoble use of playing to dancers; but the music was selected from Italian composers, and was admirably executed. The military music here is unrivalled, and also the music in the King's chapel.

We start to-morrow in the diligence for Vienna, where we shall arrive on the 15th, sleeping one night at Lentz, and three nights in the carriage; but we are sick of voituriers. I hope to find a letter from some of you at Vienna. We shall stay a week there, and then push on for Italy; getting to Venice by the end of the month.

Vienna, December 20, 1826.

I know it is unnecessary to apologise to you for writing to your daughters first. My letters, such as they are, are intended for you all jointly, and the chief object I have in addressing them to the girls in preference, is to familiarise them with the receiving, and haply the answering of letters which relate not exclusively to "fashions of the month," and the worship of the Graces. My last epistle was from *Münich*, or *Minkin*, as it is pronounced by the Germans, and hoping that it reached its destination safely, (a thing which cannot be taken for granted hereabouts,) I shall now bring up my narrative to the present date.

Our journey hither was very tiresome and slow beyond measure, though performed in a vehicle they have the impudence to call a *diligence*. The distance from Munich is about 310 miles, and we were four nights and three days on the way. One night we were permitted to go to bed, as the contrivers of this sadly misnamed vehicle rightly judged that human nature could not sustain three consecutive nights of jolting, squeezing and suffocation, such as the six unfortunate beings must endure, who enjoy the dearly-bought distinction of travelling in the Royal carriage. The banks of the Danube are very beautiful, and we were fortunate enough to have fine weather, but there is no scenery near it which will bear comparison with what the Rhein exhibits. All the obstacles we had experienced before getting to Munich, from difficulty of making ourselves understood, were greatly multiplied between that place and Vienna, as that route is much less frequented by stran-

gers, most of whom come only as far as Bavaria and then turn into Italy through the Tyrol—those who go to Vienna taking the more direct way thither by Ratisbon. Fortunately we had little occasion to communicate with the natives, as we were always in motion, though slowly enough ; but at Linz where we stopped for one night, all our attempts to make ourselves understood failed, though we called in the aid of a grave-looking old gentleman with a surprisingly long pipe in his month, who sat in a corner of the room, and who professed to understand Italian and Latin, and volunteered to be our interpreter ; he looked the very picture of wisdom as he sat enveloped in clouds of smoke, and was evidently regarded by all around as a miracle of learning, so that we approached him with a sort of awe. He was however, after all, an arrant pretender, with the merest school-boy smattering of the languages he affected to be familiar with, which he instantly applied to pumping us as to our condition, destination, object, &c.—so that we could get no assistance from him, and were obliged to eat, drink, and sleep exactly as the people of the inn pleased. This adventure disconcerted my companion more than all former ones put together, and he has been railing at Germany ever since. I think if it had happened earlier he would have turned back.

We arrived at this famous city on the 15th, at six in the morning, and established ourselves at an excellent hotel, which bears the name of the Empress of Austria. Vienna does not answer the expectations I had formed of it. In regularity and beauty it is greatly inferior to Brussels, Munnich, and many other towns of less pretensions. The streets are narrow and dirty, like the Rue de Richelieu at Paris, and there is no accommodation for unfortunate *pietons*, who are in momentary danger of being run over by the aristocrats who *roule*. I ought to mention, however, that the weather has been wretched ever since our arrival, perpetual rain, great cold, and *fogs* such as would astonish even you. In fact the climate, from what I have seen and heard, unites all the humidity of the London atmosphere with a greater degree of cold than is usually experienced in England. It is said also to be subject to very sudden changes, and to give samples of the whole four seasons in one day—we, however, have found nothing but winter. Under such circumstances, every thing of course looks dirty and dismal, and perhaps, should I see Vienna in a fine clear day, my opinion of it might be greatly altered. It is a vast place, fortified and surrounded by a ditch on three sides and by a branch of the Danube on the fourth. The ramparts form a fine promenade all round the town, and command a fine prospect of the neighbouring country ; the number of equipages which fill the streets is immense, and give one a great idea of the wealth of the inhabitants ; and the shops, particularly the jewellers and marchandes de modes, make a most dazzling display, such as might vie with the *Palais Royal* itself.

The young Napoleon is here, but is kept so secluded that I have not been able to get a sight of him yet. By what I can learn, he appears to be a very ordinary youth, and to show no decided character; that, however, may in a great measure be owing to the system under which he has been brought up. The police are the most violent and domineering set of people I ever came in contact with: you should come here in order to appreciate duly the modesty and courtesy of the English tax-gatherers. On entering the city, you are served with a notice to appear before the police within twenty-four hours to answer interrogatories. There, besides undergoing a strict chronological examination as to *age*, and other matters which *men* have no objection to, the place of nativity, profession, religion, means of subsistence, reasons for leaving home, condition, name, widower or bachelor, (they do not ask whether ~~or~~ no the person has been *refused*, which is wonderful,) are all extracted from the examinee, and a multitude of impertinent questions are asked which can have no object but that of harassing; a minute description is then taken, and permission to remain for a limited period is granted, but not without paying heavily for it. Nothing can more completely show the weakness and alarm of the Government, than this jealousy of strangers, who are regarded with a sort of instinctive antipathy by the rulers of these countries, as beings who cannot possibly come into their territories for any good, and yet, with all their precautions, it would require a very moderate portion of effrontery and tact to overreach them completely.

The people here are all music mad. I never was in a place where music seemed to be more completely the occupation of the inhabitants; but especially instrumental music, and the more incomprehensible and impracticable a thing is, the greater is its merit with the Viennese. There are fantasias and sonatas exhibited in all the shops, composed by persons of unpronounceable names, of sable hue and demisimequaverable texture, such as would make the most accomplished pianiste shudder with horror. I was the other day at a concert given by a Mr. Slawjk, a celebrated violinist, and it really was worth coming this distance to hear him. Talk not to me of your Kieswetters and Moris, and stars of such dim lustre hereafter. Here is a man who "struggles with impossibilities—nay overcomes them." The instrument in his hands was not a fiddle, it really was something supernatural! He executed a concerto composed by himself, (and which no other man could either have composed or executed,) full of the most fantastic freaks, and occasionally interspersed with the tenderest and most touching passages, and I am at a loss to say in which he was most excellent. Withal, he was a youth (apparently not thirty) of the most uncommon modesty, seemingly overwhelmed with the praises he received, and never courting admiration by any of the tricks and coquetry which such stars are apt to exhibit. When the enthusiastic ap-

plause of his auditors forced him for an instant to lower his instrument and make a bow, his only anxiety seemed to be to escape as speedily as possible from applause, and to plunge again into the mazes of his concerto. In short, I never yet heard the violinist who was worthy of rosining his bow. He was well repaid by his audience. I never saw such attention or such interest exhibited by any assembly: they hung upon his accents with mute admiration, or burst out into involuntary exclamations; some even capered with delight. It was truly gratifying to behold.

The Italian Opera here is at present, unfortunately, in a state of repose, but they are to commence shortly with *Semiramide*, and a corps of the elite of Italian singers, such are Lablache, Davide, Dardanelli, unequalled in their several departments. I am sorry they are here, as I shall have no chance of hearing them when I am going. The national opera (German) is extremely good; they give the operas of the best living composers, Italian as well as German, and the singing is the best I have yet heard. The orchestra is of that excellence which might be expected where Hummel directs and Myseder leads. Myseder's playing is such as his music might induce you to expect, very perfect, and full of fine execution; but even herein my friend Slawjk leaves him infinitely in the background. Your daughter will be concerned to hear that her favourite Weber is held very cheap in Vienna; they say he had no taste and was mad. Mozart holds his empire with people of judgment, though there are not wanting flippant pretenders who say with a shrug that he has begun to '*monter la perruque*.' In fine, the *Dame Blanche* is all the rage, and Rossini the prime favourite. Next to Mozart, Spontini is, with some persons who lay claim to great judgment in such matters, considered the most faultless composer in operatic works, a sentence which has surprised me much. From the above facts, I leave you to form your own opinion as to the justice of the claim the Vienna critics lay to being considered the best judges of music in the world.

I have inquired here of marchandes de modes, and other persons cunning in trimmings and garnitures, and they say the Swiss ribbon you wish is not made in Germany; and that the enlightened Emperor here, will allow nothing Swiss, French, or English, to enter his dominions; perhaps somewhere in Italy I may meet with it. The silks, velvets, and ribbons here are the most beautiful I have ever seen, and are all made in Vienna.

We would fain set off instantly for Venice, for we are sick of this ever rainy climate, but the public conveyances go so rarely that we are forced to wait till the 23d; we get to Trieste on the 26th, and Venice on the 28th. Thence our route is uncertain, but we shall certainly be at Florence, and thither letters may be sent to the end of January.

Vienna, Dec. 23, 1826.

I must trust to your indulgence to forgive my so ill performing the promise I made of writing to you frequently; though I believe I had the prudence to qualify it in some way, anticipating that my opportunities of writing might not be so frequent as could be desired.

My journey hitherto has been one of almost unmixed satisfaction. Every thing was new to me; language, manners, and scenery and my attention was kept constantly fixed. No description that I have ever seen has done justice to the truly sublime scenery, of the Rhein, especially that part near Coblenz; there is an ever-varying but never-failing grandeur about it, such as must give infinite delight to every person who has a spark of sensibility in his composition. These beauties are no doubt rendered doubly striking, after emerging from the flat and uninteresting country of the Netherlands, which contains little to detain the curious, excepting the splendid Gothic structures which abound in it. The multitude of ruins which rise on both banks of the Rhein, and which are all most unmercifully ascribed to the Romans, would afford employment and interest to an antiquary for years. I care, however, little for researches of that description, and such objects are valuable in my eyes only in so much as they enhance the beauty of the picture. The towns are all plentifully garnished with soldiers; and the vexations and delays which harass the traveller at every stage, require a large stock of patience and philosophy, for which the only consolation is, that it is very evident the holders of the country are very ill at ease.

I am almost compelled to become a Napoleonist, contrary to my better judgment, by the perpetual contrast which has been forced upon my mind, between his enlightened despotism, and the chilling and jealous sway now exercised. Wherever he has been, he has left in roads, bridges, seminaries, and institutions of public utility, proofs that he had at least some sympathies with the people over whom he ruled, and that their happiness was in some degree his study. The present rulers construct only fortifications, and the only public institutions they have bestowed on their subjects are custom-houses and a most vigilant police. It is difficult to believe the degree to which Napoleon has contrived to endear himself to the people of Germany, and the enthusiasm with which his memory is cherished. I used to think that this feeling was confined to the French, and I ascribed it to the love of military glory, which is supposed to predominate with that nation; but I have found it the same in Italy, Germany and the Netherlands.

I would fain hazard some remarks on the character and habits of the people amongst whom I have been travelling; but how can I venture to pronounce even an opinion, with any confidence, on a nation with whom my ignorance of their language has prevented

my ever coming in contact? My communication with them has been confined to monosyllables, or expressions of the commonest and most unintellectual nature; and all my information respecting them has been drawn through the medium of a hired servant, or a casual encounter with some one who could converse in French or Italian. Even Hazlitt, with all his self-sufficiency, would hardly venture to condemn a nation, without better means of unmasking their failings. Here let me counsel you, before you undertake a journey into this part of the world (an event which I trust you may, ere long, be able to bring about), to put your contempt for the language aside, and apply yourself to the acquisition of so much German as would enable you to elbow your way through the country, without the aid of an interpreter, who is seldom a trust-worthy person. From my own observation, I would undertake, with three weeks of moderate application, to gain such an acquaintance with German as should suffice for all purposes of ordinary utility, and should put it in my power to study the people with advantage—and all this without the aid of either Mr. Hamilton or Professor von Feinaigle. For want of this, I have encountered numerous minor disasters, have been obliged to submit to the insolence and exactions of official harpies and unauthorised plunderers, have missed the opportunity of making agreeable acquaintances and of acquiring useful information, and, as a suitable climax, I have even occasionally been compelled to put in requisition my sad remnant of Latinity, and, thanks to my Scotch extraction and to a retention of the vocal system of my *alma mater*, I have been able to make myself understood, where the classical lore of even Mr. Gifford himself might have been unavailing. Forsyth's remark about the heaviness and scholastic affectation of the English Latinity, contrasted with the neatness and point of the Italians, appears to me equally applicable to the Latin of the Germans. All of their inscriptions that I have seen seem laboured and pedantic.

I am a great enemy to the way in which many people generalise on nations, and ascribe to them some physical or mental characteristic. In almost all cases, such dicta are laid down on every insufficient grounds, and are taken on trust by mankind merely because they are uttered with an air of authority. We are told, for instance, that the Italians are a deceitful and revengeful race; that the Germans are dull plodding animals; the French frivolous and incapable of feeling, (or haply they are *monkeys*.) All these canons, which are generally held to be unquestionable truths, I take upon myself to pronounce entirely false. I have heard that the women of some particular town, are remarkably handsome, and on going thither I have seen none that were not dowdies; or that the men of some other place were remarkable for the politeness of their demeanour, and I have found them bores. In the former case, the generaliser had the good fortune

to see one or two good-looking women in his walk, and in the latter he received a civil answer to some question; but future travellers may search for the beauty or civility in vain. Do not suppose that these remarks are occasioned by any such disasters having happened to me—on the contrary, they arise from the agreeable surprise of finding the Germans so very different from what they are usually described. Were I to commit the offence of which I have just been complaining, my character of them should be that of a lively and mirthful race, rather addicted to smoking and beer-drinking, fond of reading and of music, and displaying the utmost courtesy and attention to strangers. Does this correspond with the notions you had formed of them?

This has been a long and very unprofitable dissertation, but what else have I to fill my paper with? Descriptions are tiresome, and are never, I think, satisfactory, particularly to the describer. I have seen a multitude of magnificent churches, many excellent pictures, and much beautiful scenery, and above all, the quantity and quality of the music I have heard would of itself endear Germany to me for ever. This is a vast, and in many respects splendid capital, but the streets generally are mean and narrow, and accord ill with the display of riches and finery which every where meets the eye. The suspicion and jealousy of the police pass all bounds, and give incontestible proofs of the weakness of the Government. We set off for Trieste to-day, and expect to be at Venice on the 28th. Our route after that is not fixed. I hope your health is good, and that you *compel* yourself to take exercise; consider that all the good you may hope to accomplish, depends upon your preserving your health, and exercise I am persuaded is indispensable. I trust the good work advances, and that our Utopia is nearly completed. I shall join in the deliberations with no ordinary relish, after the abstinence which my travels have imposed on me. My life has been a perfect blank, as far as regards English politics, since I came abroad, and I hardly regret it, for the base spoliation of the poor Greeks has nearly sickened me for ever with British patriots; the disinterested and unostentatious efforts of 'the tyrant-ridden' Germans in behalf of their fellow-slaves, might teach those traders in liberality a useful lesson. Here sympathy for the Greeks is deep and universal.

Venice, Jan. 9, 1827.

HERE I am established once more, presso Danielli. We are in the rooms *vis à vis* to those *we* occupied in 1825. Our visiting room is large enough to feast the livery of London in, and presents a spectacle of faded grandeur, like the city itself. The prospect in front is beautiful, and the situation altogether is, I think, the best in Venice. The drawbacks to these advantages are, great cold, for there is no possibility of heating our Guildhall-like salon, which is constructed, like all the houses here, to guard against heat,

and not cold: then, again, such accommodations are, of course rather costly—and it is impossible to get any drinkable wine; for the Emperor, with his accustomed tenderness for the comforts of his people, suffers no foreign wines to be admitted into the country, and there is no choice between the sour potations of the country or the scarcely less unpalatable mixtures imported from Hungary and Istria. This annoys my companion very much, and sometimes, in the bitterness of his indignation, he wishes that the Emperor himself were compelled to swallow a bottle of the villanous compound—and, truly, an appeal of this sort might not be without its effect.

Our journey from Vienna to Trieste was somewhat fatiguing, as we had to sleep three nights in the carriage, but the rate of going was extremely good, and the conveyance was the best regulated and the most comfortable vehicle I have ever met with out of England and France. We had not a single good day all the time we were at Vienna, so that we experienced no great regret in leaving it; but no sooner had we crossed the range of mountains which divide Styria and Illyria, than we found an almost magical change of climate; the snow had vanished, and we exchanged the foggy and humid air of Germany, for the clear sky and bracing cold of an Italian winter. At Laybach (of Congress-al memory) Italy begins, as it were, to dawn. Gasthouses begin to assume the name of locandas—*si signore* disputes pre-eminence with *ja myn-heer*; the detestable German stoves are supplanted by hearths with blazing wood fires—maccaroni triumphs over sour crout; and the frequent *corpo di Bacco*, ejaculated by the postillions, leaves no doubt of the vicinity of Italy.

The whole of the journey, for the last 200 miles, presents an almost uninterrupted succession of beautiful mountainous scenery, very much of the same description as the Appenine country between Florence and Rome. The descent upon Trieste is unique. I can recollect nothing which has struck me as so splendid as this view. Nothing is seen till you reach the summit of a mountain immediately over Trieste, when the whole expanse of the Adriatic, with the romantic and lovely shores of Istria and Dalmatia, with the lofty and snowy mountains of the Tyrol, burst at once on the view and delight the eye as you wind down on Trieste. The situation of this town bears a considerable resemblance to that of Genoa—of course there is no comparison between the towns, for Trieste is a very ordinary place, and destitute of anything approaching to magnificence, but in situation, I think, it has the advantage of the city of marble. It is much more Italian than German, both in the language and manners of the people; indeed German is hardly spoken there. There is a great appearance of trade in it, and the variety of costumes and people of all nations who throng the streets, give it a very gay appearance, whilst the multiplicity of languages which

assail the ear would puzzle Mezzofanti himself. The motley group which fill the pit of the theatre—Turks, Greeks, Jews, Sclavonians, and Armenians, besides the infinite variety of natives—is a sight which, perhaps, no other town in the world can exhibit. Trieste has risen on the ruins of Venice; the policy of the Austrian Government being to annihilate the commerce of Venice, it has loaded trade there with the most fatal shackles, whilst irresistible encouragements and temptations are held out at Trieste. The consequence is, the latter has become the most extensive port in the Mediterranean, and one of the principal marts of Europe. There you see a harbour full of shipping, extensive warehouses, new buildings rising in every direction, bustle and activity in the streets, and care and business in the faces of all you meet. At Venice all is decay and desolation, empty harbours, ruined palaces, unoccupied shops, and an idle and lounging population.

Had I remained at Trieste it would have given me great pleasure to have cultivated the acquaintance of your friend, from whom I received great kindness; but there is nothing absolutely in the town to detain one more than a couple of days at furthest, and we are anxious to depart by the first *vapore*. This unworthy emulator of the Spitfires and Medusas, however, was at its old tricks, and kept us hanging-on at Trieste for four days with the constant promise of sailing “to-morrow,” with that most convenient qualification *tempo permettendo*—such are the blessings of a steam monopoly! At length, however, we did get over, and arrived on the 31st ult., making as smooth and pleasant a passage as could be desired. I was very happy in receiving your letter, and one from each of the girls, which were waiting for me here.

It is very hard that when you have been doing so much for me, all my endeavours to serve you have been ineffectual. I have no where been able to meet with the Bernois trimming you wished to have. Indeed, with the Austrian regulations, which are in force against all foreign manufactures whatever, it is next to impossible that it should be found within the Emperor's dominions, any more than claret or Havannah segars. I shall keep a look out, however, as I go on, and possibly may meet with it at Florence; or should we return by Geneva, that is a likely place. I have not been more fortunate in my search for the ornaments which you saw here, neither in any of the shops in the neighbourhood of St. Marks, nor in any of those on the Rialto, can I see anything at all approaching to the things you describe, and yet I do not think they could have escaped me had they been there, for I have examined carefully the windows of most of the shops in the town, more especially those who deal in antiques and curiosities. I am concerned at any want of success, but I fear some curiosity-hunter has made a prize of them, or that they have been removed from their conspicuous situation,

and consigned to the recesses of some dealer like our friend Carnesecca at Rome.

Venice is almost destitute of strangers at present: besides ourselves there are only three or four stragglers; the grand map being now, according to custom, far advanced to the south. This circumstance gives us no great concern, and we have heard so much of the gaiety and festivities which will prevail here about a fortnight hence, that we have some idea of setting off now on a tour through the north of Italy, Milan, Parma, Cremona, Verona, &c., returning here again for a few days, to see some of the follies of the Carnival, and then going direct to Florence. The Carnival began on the 5th, and being this year what is termed the long Carnival, it will not end till the 27th of February. This is almost the only place where the festivities commence in the early part of the period, at most others the last fortnight only is extraordinary. The above plan is, however, by no means matured, and may or may not be put in execution according to circumstances. Until further notice, then, it is best to address any letters which may be bestowed on me to Florence, as that is a sure method of my receiving them, though perhaps late.

This is the best time for music in Italy. During Carnival all the theatres are in their glory, and put all their resources in acquisition to produce something attractive and good. Accordingly, there is scarcely a town in the country where a good opera is not to be found during this season. Even Rome, austere and sanctified as she is, unbends a little during this period of universal holiday, and suffers her children to inhale the pestilential atmosphere of those sinks of iniquity, play-houses. Here the *Fenice* is now open, which is only the case during Carnival. They have a very good company, of which the *gems* are Tosi, Crivelli, (one of the best tenors in Italy,) and Cecconi, a very delightful contralto, or *musico*, of the Pasta school. Their Opera is one of those solemn heroic pieces, which can only be made to go down by the aid of very good music and very good execution. It is called *Mithridate*, the music by Tadolini, and is not without merit, though neither very striking nor original. They have a splendid *ballo*, entitled "*Maria Stuarda*," in which Elizabeth figures in the most odious light, and *la Stuarda*, as the programmes have it, is invested with somewhat more of perfection than history gives her credit for. The orchestra is magnificent, and the theatre superb. Velluti is here, I met him the other day in the gardens, but he is quite *en particulier*, and has, I believe, bid adieu to the stage. They say that he has enriched himself immensely in England, but that he does not enjoy his wealth. He has purchased a fine place on the Brenta, between Venice and Padua, and generally lives there in great seclusion. Pasta has created a great *furor* in the south, and has been received by the Neapolitans with the most enthusiastic applause, especially in a

new opera, by Paccini, entitled *Niobe*. I hope I may fall in with her somewhere, to see how she wears her laurels; for, after all, such a reception from the *habitués* of San Carlos even for a single night, is worth whole years of the tasteless encores of the muddle-headed critics of the King's Theatre.

The girls will be amused to hear that at Trieste I recognised, in the prima donna, our old Parisian friend, Demeri, notwithstanding the transformation of the name into De Meric. She has, however, descended from the tragic stilts, and figures away in the *dramma-giocosso*, with considerable success; she really treads the stage with an air, and displays much of what your brother calls *ease and affluence*. She has been very favourably received in Italy, even at 'the Scala.' Her voice, always very powerful, has increased to an astonishing degree, and she sends forth a volume of tone, which is wonderful, if not pleasing, and which is vastly effective in the *bravura*; but, after all, she is a mere executioner, and the defects of her singing remain as glaring as ever—want of taste, or anything approaching to expression—what she has gained is manner.

The weather, since we have been here, is as fine as possible, with the exception of two days when there was a storm, which laid most of the streets under water. The effect of a high wind, particularly when it blows on the town from the sea, is to raise the water three or four feet, which is enough to inundate all the streets; and gondolas are to be seen plying in the streets and squares, and even, I believe, in the theatres.

SONNET.—TO OPPRESSION.

OPPRESSION!—I have seen thee, face to face;
 And met thy cruel eye and cloudy brow,
 Which, ere I saw, I fear'd—but fear not now,
 For dread to prouder feelings doth give place
 Of deep abhorrence! scorning the disgrace
 Of slavish knees, that near thy footstool bow,
 I also kneel—but with far other vow
 Do hail thee and thy herd of hirelings base:
 I swear, while life-blood warms my throbbing veins,
 Still to oppose and thwart with heart and hand
 Thy brutallizing sway—till Afric's chains
 Are burst, and Freedom rules the rescued land,
 'Trampling Oppression and his iron rod:
 Such is the vow I take—so help me God!

P.

THEORETICAL AND PRACTICAL VIEW OF THE LAW OF LIBEL
IN ENGLAND AND IN INDIA.

No. X.

Practical View of the Law of Libel in England.

In 1787, Lord George Gordon was tried on an information filed by the Attorney-General, and found "guilty" of two libels: the first, reflecting on the Judges, and the administration of the criminal laws, was, in the form of a petition, addressed to himself by the prisoners in Newgate, full of incoherent Scriptural language and quotation, and tending to recommend that reduction in the number of capital punishments which Sir Samuel Romilly began to effect. The second libel was on the Queen of France, and on the French Ambassador, the Count d'Adhémar.* In delivering the judgment of the Court, Mr. Justice Ashurst observed, upon the second libel, "that the object of the publication being to rekindle animosities between the two nations, by the personal abuse of *the Sovereign* of one of them, it was highly necessary to repress an offence of *so dangerous* a nature. Other nations (who do not know how much that greatest of all blessings, Liberty, and particularly the liberty of the Press, may be perverted in the hands of wicked men,) can hardly be induced to believe that such daring and atrocious publications as your's could ever go forth into the world, without the connivance, at least, of that state in which they are published. And well might they think so, unless the author were dragged forth into public punishment." That greatest of all blessings, the liberty of the Press! the liberty of declaring your *bona fide* sentiments, under that moral responsibility which necessarily attends such a declaration—can there be a more shameful mockery than the use of such language under such circumstances? If there had really existed such a liberty—if there had been no jurisdiction, no temporal penalties for mere words—these foreign nations might have been convinced, and could not have resisted the conviction, that "such

* See 'Mem. sur la vie de Marie Antoinette, par Madame Campan,' vol. I. p. 250. Sa Majesté continuant à me parler des inconveniences qu'elle avait rencontrés dans la vie privée, me dit que les ambitieux sans mérite trouvaient la des moyens de tirer parti de leurs importunités, et qu'elle avait à se reprocher d'avoir fait nommer *M. d'Adhemar* à l'Ambassade de Londres uniquement parcequ'il excédait chez la Duchesse (de Polignac). Elle ajouta cependant à cette espece de confession, qu'on était en pleine paix avec les Anglais; que le Ministre connaissait aussi bien qu'elle la nullité de *M. d'Adhemar*, et qu'il ne pouvait faire ni bien ni mal.

daring and atrocious publications" went forth *without* the connivance of Government. Nay, there is no other mode of satisfying foreign nations that such publications are not connived at; for if the Attorney-General may file an information against whom he pleases; and if the Jury follow the direction of the Bench, no publication that is offensive to a foreign sovereign can possibly escape except those connived at by Government. The possession of such a power over the Press affords to foreign governments a most inconvenient ground on which to address representations and solicitations to our Government; and a no less inconvenient temptation to give a favourable ear to such applications from motives of friendship or fear, and to refuse it from no better motives than aversion or contempt. Thus, from personal regard to the Queen of France, was Lord George Gordon punished for a libel on her, which had not the slightest tendency to interrupt the good understanding between the two nations, nor to prejudice her character in the estimation of the intelligent and candid part of the world; and for fear of Bonaparte, whom we hated, Peltier was prosecuted, in 1803, for a libel equally harmless; but soon after the trial, war having been renewed, which might have seemed to confirm its alleged tendency to "interrupt, disturb, and destroy the friendship and peace subsisting between our Lord the King and the said Napoleon Bonaparte," he was for that reason only, because war had released us from the fear of Bonaparte's importunities and resentment, never called up to receive the judgment of the Court. The case of John Vint, found guilty, in 1801, of a libel on the Emperor Paul of Russia, was similarly circumstanced in all respects. Since the date of the trial of Peltier, how many "daring and atrocious" libels against the Sovereigns of Russia, France, Spain, and Portugal, have been connived at?

For the first libel, Lord George Gordon was sentenced to *three* years' imprisonment, for the second, to *two* years, and to pay a fine of 500*l.*, in all *FIVE* years, and to give security for his good behaviour for fourteen years, himself in 10,000*l.*, and two sureties in 2,500*l.* each!! January 18, 1793, the term of his imprisonment having expired, he was brought into the Court of King's Bench to give bail, accompanied by the keeper, two men as his bail, and several Jews. He had a slouched hat on his head, and an enormous beard. As he refused to take off his hat, the Court directed the crier to do it. He presented a petition from Israel Abraham George Gordon, commonly called Lord George Gordon, containing an apology for keeping on his hat, having entered into the holy covenant of circumcision. His fortune was an annuity of 500*l.* a year. His brother, the Duke of Gordon, had lent him 500*l.*, with which he was ready to pay

his fine. The Attorney-General objecting to the two men proposed as bail, and producing affidavits to their incompetency, his Lordship was remanded to prison, where he died, on the 1st of November 1793.

In 1793, the Reverend William Friend was expelled the University of Cambridge for refusing to subscribe a retraction of the errors contained in a pamphlet published by him, entitled, 'Peace and Union,' recommended to the associated bodies of Republicans and anti-Republicans. Proceedings against him were first instituted, and sentence pronounced in the Court of the Vice-Chancellor, and were subsequently affirmed in the Court of Delegates, and Court of King's Bench. In the principle of such a prosecution there is nothing vicious or objectionable, for men who voluntarily enrol themselves in a society whose business it is to teach certain opinions, who subscribe tests declaring their concurrence in the established doctrines, and contract engagements not to impugn them, cannot complain if a defection from those engagements should be held an abdication of all the privileges and benefits to which they had been conditionally admitted. To controvert the fundamental articles of the society's creed, would necessarily amount to a renunciation, or work a forfeiture of the author's place as a member of the society; but the just treatment of such cases requires the exercise of more candour and charity than is often found in human nature, the presumption being, that when he who has avowed himself an adherent of certain opinions, apparently promulgates different opinions, such appearance of discrepancy is occasioned by the contracted views, or erroneous inferences of the observer, and is not irreconcilable with the professional conformity to which the party was pledged.

On the present occasion, Mr. Friend complained that certain heterodox sentiments were erroneously imputed to him, and that instead of being required to disclaim *such* sentiments, which he would not have hesitated to do, he was directed to sign a recantation in general terms, *of the errors in his book*, implying a confession that the opinions imputed to him in the articles of accusation *were* contained in 'Peace and Union.' He was accused of having defamed the liturgy of the Church of England; of having called the Church of England idolatrous; of having said that all ecclesiastical courts, ranks, and titles are repugnant to the spirit of Christianity; and of having profaned the most holy offices of the church, all which he solemnly denied, and disavowed that he had ever maintained or thought. Yet the prescribed recantation was as follows: "I, William Friend, &c. do acknowledge that by writing a pamphlet entitled, &c. I have offended against the latter part of the statute *De Conscionibus*, &c. I do therefore, by the direction of the Vice-Chancellor,

with the assent of the major part of the heads of colleges, retract and publicly confess *my error and temerity* as the statute requires."

In the same year, Daniel Holt, printer of the 'Newark Herald,' was found guilty on two *ex-officio* informations; the first for republishing Paine's 'Address to the Addressers;' the second for republishing Major Cartwright's 'Address to the Tradesmen, Labourers, and Mechanics (of Newark) on Parliamentary Reform,' which had originally appeared without objection in a Leeds newspaper in 1783. He was sentenced to pay a fine of 100*l.*, and to be imprisoned in Newgate FOUR years!! *He died in prison.* It is to be observed, that Holt had never sold a publication which a jury had previously pronounced to be libellous or seditious.

In the same year, John Frost, an attorney, for seditious words—as "I am for equality, no King," &c.—was sentenced to be imprisoned six months in Newgate; to stand upon the pillory at Charing-Cross; to find sureties for his good behaviour for five years, and to be struck off the roll of attorneys of the Court of King's Bench.

In the same year, William Winterbotham was found guilty on two indictments for seditious words, uttered in the course of preaching two sermons, on Nov. 5, and Nov. 18, 1792.

Mr. Serjeant ROOKE.—(Counsel for the prosecution).—"There are men whose hearts are open; who wear their hearts upon their sleeves: if such a man comes forth and says openly, I do not like your constitution, I do not like your Government, I could rather shake hands with that man than I could with the insidious character who equivocates and dares not avow those principles which are lurking in his heart."—So that, if, like Mr. Frost, and so many others, he speaks out plainly, he must suffer imprisonment and pillory for his frankness; and if he does *not* dare to avow principles at variance with those which are patronised by Government, he must be imprisoned for equivocation, besides being amerced of the honour and comfort of shaking hands with Mr. Serjeant Rooke!

Mr. BACON PENRYN, in his charge to the jury, said it appeared to him that this sermon might have been preached without any intention of exciting sedition; but it was certainly a discussion which was improper, as it was delivered to some of the lowest class of the people: and that it was also ill-timed, for his Majesty had lately issued a proclamation, which ought to have cautioned the defendant, and he should have waived any such discussion at that period. And the jury should consider, that if the defendant was found guilty by them, *his punishment would be his utter ruin*, and therefore they would put the best

construction they could upon the matter, and show the utmost lenity in favour of the defendant. After being locked up two hours and a half, the jury brought in a verdict of *guilty*.

On the trial of the second indictment, next day, the same judge, after showing that the evidence of all the witnesses for the prosecution, except that of one youth, was unworthy of credit, observed, that on the part of the defendant, many respectable adult persons had been examined, persons who were in the constant habit of attending on the defendant's ministry. Under the circumstances he said, *he could not think the defendant guilty*; but the jury were to determine for themselves,—only they should remember that after the verdict of yesterday, if the defendant were again found guilty, *it would be his utter ruin*. The jury withdrew, and after being locked up for five hours and a half, returned a verdict of *guilty*!

For these two sermons, of which the judge thought so favorably, that he directed an acquittal, the Court sentenced Mr. Winterbotham to pay a fine of £200, and to be imprisoned four years in the new prison Clerkenwell!! At his own request, Newgate was substituted.

Similar prohibitions had with impunity been violated in 1817.* On the case of Clement, the Edinburgh Review† observes:

‘Some remarkable circumstances attended the imposition of this fine. The Court which published the interdict, did not originate the proceeding for the notorious act of disobedience to it; nor did any of the prisoners complain of what was done; nor did any one of their numerous and able counsel bring the matter to the knowledge of the Court; but the motion was made by the counsel against those prisoners—the counsel for the prosecution—his Majesty's Attorney-General, acting on behalf of the Government in a state trial. Let it be observed, as we pass, that it is only in state trials, where the feelings of existing ministers are always on the alert, that such prohibitions appear to have been even thought of. No actual injury to either side was once insinuated. Nay, it happened that these very trials furnished a singular example of the benefit to be expected from publicity. One of the witnesses produced by the Attorney-General was one Robert Adams, an informer. When it was made known that he was a witness, several persons came forward, and facts were disclosed, to prove him wholly undeserving of all credit. Now, if he had been the sole witness, or one absolutely essential to the proof of the charge, the facts so elicited respecting him might have rescued the accused from the hands of the executioner; and the concealment of those facts, by a successful prohibition, might have delivered over to judicial death men who did not deserve it.

‘But a twofold danger was apprehended—*first*, lest the minds of jurymen appointed to try a succeeding prisoner might be poisoned by reading the evidence given on the trial of the first. The amount of that danger may be esti-

* State Trials, vol. 32, p. 81, 111, 766.

mated, by considering that all the jurymen destined for the subsequent trials, were bound to be in Court during the first. Could their minds be poisoned by reading a correct report of what they actually heard? The other danger was that a witness who had once been examined, if inclined to commit perjury, might do so with less hazard, from having the opportunity of seeing in print what he had himself previously sworn. This is surely to suppose him gifted with a much shorter memory than is ordinarily found to belong to persons of his description; nor has any reason been assigned, why a written copy of the short-hand writer's notes should not be equally effectual with a printed newspaper to revive his recollections.

'The imposition of this heavy fine was questioned afterwards* in the Court of King's Bench, where the Lord Chief Justice and Mr. Justice Best, who had, as Commissioners at the Old Bailey, concurred in imposing it, found in that circumstance a reason for not supporting it by any arguments. They severally stated, however, that they had no doubt of the legality of the order. So did the other two judges, Bayley and Holroyd. From pure respect to those learned persons, we abstain from all examination of their reasonings, more especially as both declared the proceeding not to be final, and it now appears to be undergoing a farther examination.† We may however remark, that their decision derived slender support from the Crown lawyers, who were driven to cite, in favour of this exercise of power, the two cases in 1817, in which, though the prohibition was openly violated, no fine was imposed; and that nothing like an earlier precedent for the order could be produced.

'The legal discussion then being waived, the obvious practical consequence of establishing such a claim is this—that the public can obtain no accurate knowledge of what is done in any court of justice which may think proper to refuse its *imprimatur* to an accurate statement of their own proceedings. The time has been, when the least reluctance to make them generally known, however veiled by supposed inconveniences, would have justly excited suspicions as to the motives for concealment. Some security may be found against abuse in the character of the judges and the spirit of the age—the latter far more important than the former, but in some degree liable to be affected by it, as it reacts upon it. If, after the trial of Thistlewood and Ings, the Court had adjourned the trial of Brunt and the others for a month, the two first condemned might have been executed without the evidence against them having been ever made public. Nay, if any one of those jointly indicted had not been apprehended, the proceedings might have been kept secret to this hour. The Court, if allowed to exercise its discretion to this extent, on its own view of possible inconvenience, might have found some good reason for not making known the order imposing this very fine; and the publisher might have been ruined by paying it, or imprisoned for life for his inability, without the

* 4 Barnewall and Alderson's Reports, p. 218.

† In the Duchy Chamber of Lancaster, where it happens singularly that the two judges who sit to assist the Chancellor, Lord Bexley, being the two last judges of assize for the county of Lancaster, are Mr. Justice Bayley and Mr. Justice Holroyd. They will, therefore, be required to revise their own formerly declared opinion, as their venerable brethren were in the King's Bench.

tabbling world knowing what had become of him. We firmly believe that if such a claim had been set up and established a few reigns back, general warrants would have been at this moment in full legal operation.

'We are really encouraged, however, by the immensity of the danger, and might feel more alarmed if the consequences were less strikingly injurious. For the honour of the law of England, we hope it will not be found to sanction a claim so inconsistent with the due administration of justice, and so destructive of all just confidence in it. But if this should turn out differently, the Legislature itself, we trust, will for once interfere for the protection of the liberty of the subject.'

In the same year, Thomas Briellat, for seditious words, was sentenced, though recommended to mercy by the jury, to pay a fine of £100, and to undergo twelve months' imprisonment.

In the same year, Thomas Hudson for seditious words, was sentenced to pay a fine of £200, and to be imprisoned two years in Newgate.

In the same year, John Lambert, James Perry, and James Grey, were tried on an information filed *ex officio* for a seditious libel, published as an advertisement in the 'Morning Chronicle' of Dec. 25, 1792. This libel was an address declaratory of the principles of the (Derby) society for political information, and written by Dr. Darwin. The 'Morning Chronicle' was, at the same time, daily crowded with declarations in support of the King's Government.

Lord KENYON.—(In his charge to the jury.)—"I am bound on my oath to answer, that I think this paper was published *with a wicked malicious intent* to vilify the Government, and to make the people discontented with the Government under which they live, to infuse into the minds of his Majesty's subjects a belief that they were oppressed; and on this ground I consider it a *gross and seditious libel*." After being locked up *five* hours, the jury found a verdict, "guilty of publishing, but with no malicious intent." Being told by Lord Kenyon that this was no verdict at all, they withdrew, and after sitting in discussion nearly *ten hours* more, they found a verdict of NOT GUILTY!

Two other instances of similar verdicts, were given in the same year, on two trials of Daniel Isaac Eaton, for publishing the second part of Paine's 'Rights of Man'; and his letter addressed to the addressers on the late proclamation. On the first trial, the jury found the defendant guilty of publishing, but not with a criminal intention. On the second, they first found him guilty of publishing; and after again withdrawing, they returned in about forty minutes with a verdict, guilty of publishing that book." The verdict was then recorded, "guilty of publishing the pamphlet in question." The first steps were taken towards further proceedings, grounded on the ambiguity of these

verdicts, but they never took place, and the defendant was content with being out on bail.

In the same year occurred, at Edinburgh, the remarkable trials of Muir and others for sedition.

August 30th and 31st, Thomas Muir, Esq., the younger, of Hunter's Hill, was tried for seditious speeches, attending meetings of societies for reform of Parliament, and circulating seditious books. He had practised as an advocate in the court before which he was now to plead his own cause; but sentence of fregitation and outlawry, having been pronounced against him in the beginning of the year, his name had been expunged from the list of the faculty of advocates in the month of March.

By not disputing the "relevancy of the libel," Mr. Muir prevented an argumentative prejudication of the criminality of his conduct by each individual judge; and reserved himself entirely till he came to address the jury, who were judges both of the law and the fact, but whose attention is (most injuriously for the prisoner in cases of libel, sedition, and treason) too much confined to the *fact*, in consequence of the pleadings on the "relevancy," that is, the *law*, being addressed to the Court, before the jury are sworn.

The Lord Justice Clerk (Mac Queen) proceeded to name the jury, and called Sir James Foulis, of Collington, Bart, and Captain John Inglis, of Auchindinny.*

Captain INGLIS, before being sworn, mentioned that he was a servant of Government; that he understood Mr. Muir was accused of a crime against Government; and that he did not consider it as proper, that Mr. Muir should be tried by a jury composed of servants of Government; that his mind felt scrupulous, laboured under much anxiety, and he begged leave to decline being a jurymen.

Captain Inglis was informed, by the Court, that there was no impropriety in his being a jurymen, although belonging to the service of Government.†

The Lord Justice Clerk, in the usual form, asked Mr. Muir if he had any objections to state to the first five gentlemen, whose names he had selected from the list of assize.

Mr. Muir said:—Of these gentleman I have no personal knowledge. Their situations in life are respectable, and I believe them to be men of truth and of honour; yet my situation and theirs is so peculiar, that I am obliged to object to their being upon this jury. The question of parliamentary reform has agitated deeply, in proportion to its magnitude, the minds of men in this country; different opinions have been adopted, and different parties have been formed. These Gentlemen belong to an association, which assembled in Goldsmith's-hall, calling themselves the Friends of the Constitution, united to

* For the mode in which a Scots jury is appointed, see the note to the case of James Stewart, *anté*, 'State Trials,' Vol. 19, p. 11.

† As to this see 'State Trials,' Vol. 22, p. 1038.

support it against republicans and levellers, and expressing their zeal to suppress tumult and sedition. I belong to the association of the Friends of the People. Viewing a reform in the representation of the people, as a measure the most conducive to the stability of the constitution, and to the felicity of the people, we united our common exertions, by legal measures, to accomplish that object.

To the constitution, in its genuine principles, we have solemnly pledged ourselves—Never have we professed to be its enemies, yet the association in Goldsmith's-hall, by a deliberate and public act of their's, have declared, that we were the enemies of the constitution. Equally zealous in our declarations to the world—in our reprobating riot and sedition, and sincere in our hearts, that association has denounced us to this country, as attempting to kindle the torch of civil war, and to lay it in blood and destruction. The fact upon which I found this charge is notorious, and cannot be denied. A convention of delegates, from all the societies of the Friends of the People, in Scotland, assembled in this city, upon the 11th day of December last. Of this convention I had the honour of being a member. The convention accorded with the association at Goldsmith's-hall, in their zeal to support the constitution, in their abhorrence of sedition, and in their determination to concur with good citizens in the suppression of riot and of tumult. To testify then to this association, their principles and their object, the convention ordered a number of its members to repair to their hall, and to subscribe the book they had opened of adherence to the constitution. In this number I was included. We did so. And, what were the consequences? The association erased our names, and published in the papers of the day their proceeding. Was not this an act of public proscription against us all? Accused this day of sedition, of an attempt to overthrow the constitution, shall those men be my jurymen, who have not merely accused me, but likewise judged and condemned me without knowing me, without leaving me the possibility of the power of vindication? This trial is no trivial matter. It affects me, but it affects the country more. The noise of it will pass down to other times, and posterity may fancy their most valuable rights connected with its consequences.

A respectable gentleman of the five to whom I now object, has felt the delicacy of his situation, and has honourably avowed his scruples. Such sentiments, so respectful in themselves, I trust are common to all his colleagues.

This is not the only objection I state to the gentlemen of Goldsmith's-hall being of my jury. I am accused of circulating the works of Mr. Paine. That association has publicly advertised their horrors at the doctrines contained in these books. Nay, more, they have offered a reward of five guineas, to any one who will discover a person who may have circulated them! If this is not prejudicating my cause, I demand to know what prejudication is?

Upon these two objections, I shall make no farther observations. To suppose them not well founded, would be to insult the common sense and the common feelings of mankind.

I demand justice. Let me be tried fairly, not by a jury of the Association of Goldsmith's-hall, not by a jury of the Association of the Friends of the People, but by men unconnected with either, whose minds cannot possibly be supposed warped with prejudices. I therefore solemnly protest, that no per-

son who is a member of the association in Goldsmith's-hall should, or can be, of the jury in my trial.

The SOLICITOR-GENERAL (Blair) replied, that he considered this objection to be of the most extraordinary nature. The panel is accused of forming associations contrary to the constitution, and he presumes to object to those gentlemen, who formed associations in its defence. With equal propriety might the panel object to their lordships on the bench, to be his judges in this trial: their lordships had sworn to defend the constitution.

MR. MUIR.—This day, I will not descend into the quibbles of a lawyer. I object to these gentlemen, not because they associated in defence of the constitution;—I too, as well as they, have associated in defence of the constitution;—but my objection is, that they, by an act of their's, have publicly accused me of being an enemy to the constitution, have already pronounced the sentence of condemnation, and have imposed upon my name the seal of prescription.

LORD JUSTICE CLERK.—If the objections of the panel were relevant, it would extend far indeed; it would go to every person who had taken the oaths to Government. I can see nothing in the objection, and I am clear for repelling it.

LORD HENDERLAND.—I can see nothing in the objection; these gentlemen entered into a society for a particular purpose, and had the right of judging of the qualification of their members; they did not think Mr. Muir or his friends proper members. In no trial whatever could this be a good objection.

The Court repelled the objection.

Mr. Muir, however, made the same objection to the next five that were selected, and again to the last five.

When the list of the last five were presented, he said it was not sufficient to say that these gentlemen were free to form a society; this is a fact which no man in his sound senses will dispute. But this society, when formed, had opened, in a public place, a book for public subscription. By repeated advertisements they had called upon every friend to the constitution, every enemy to sedition and tumult, every person inimical to a public division of property by a levelling system, to come and subscribe their names in that book, as expressive of their attachment to the constitution, to property, and to peace. Every porter, every chairman from the streets, was allowed to insert his subscription. Why were the names of the panel and his friends expunged? Was it not a public denunciation of their being the supporters of that system of plunder and of disorder, which that association was to oppose?

Their lordships were unanimous in repelling the objection, and the jury was impanelled consisting of

Sir James Foulis, of Collington.—Captain John Inglis, of Auchindinny.—John Wauchope, of Edmonston.—John Balfour, younger, of Pilrig.—Andrew Wauchope, of Niddry-Marishall.—John Trotter, of Morton-Hall.—Gilbert Innes, of Stow.—James Rothead, of Inverleith.—John Alves, of Dalkieth, portioner.—William Dalrymple, merchant, Edinburgh.—Donald Smith, banker, Edinburgh.—James Dickson, bookseller, Edinburgh.—George Kinnear, banker, Edinburgh.—Andrew Forbes, merchant, Edinburgh.—John Horner, merchant, Edinburgh.

When the jury were sworn in, Mr. Muir again stated, that he believed them to be men of truth and integrity, but never would cease recalling to their attention the peculiarity of their situation. They had already determined his fate. They had already judged his cause; and as they valued their reputation, their own internal peace, he entreated ——— [Here Mr. Muir was interrupted by the Court, who concurred in opinion that his conduct was exceedingly improper, in taking up their time, as the objection had been repelled.]

Mr. Muir having been accused as “guilty actor, or act and part” &c., the Lord Advocate, held himself entitled to “bring in evidence *every word or expression which Mr. Muir held in his own family*, and every conversation with ignorant country people,” though such words and conversations were *not* set forth in the indictment. “If it had been necessary to specify, in the indictment, all the facts against the panel, that indictment would have covered as much paper, as would encircle this Court.”

Mr. Muir concluded an able and eloquent speech (vainly addressed to a jury who had long before condemned him, and had *therefore* been selected!) as follows:—

‘Gentlemen of the Jury;—This is now perhaps the last time that I shall address my country. I have explored the tenor of my past life. Nothing shall tear from me the record of my departed days. The enemies of reform have scrutinized, in a manner hitherto unexampled in Scotland, every action I may have performed, every word I may have uttered.—Of crimes, most foul and horrible, have I been accused. Of attempting to rear the standard of civil war, and to plunge this land in blood, and to cover this land with desolation. At every step, as the evidence of the Crown advanced, my innocence has brightened. So far from inflaming the minds of men to sedition and outrage, all the witnesses have concurred, that my only anxiety was, to impress upon them the necessity of peace, of good order, and of good morals. What then has been my crime? Not the lending to a relation a copy of Mr. Paine’s works; not the giving away to another a few numbers of an innocent and constitutional publication; but, for having dared to be, according to the measure of my feeble abilities, a strenuous and active advocate for an equal representation of the people—in the House of the people; for having dared to attempt to accomplish a measure, by legal means, which was to diminish the weight of their taxes, and to put an end to the profusion of their blood. From my infancy to this moment, I have devoted myself to the cause of the people. It is a good cause.—It shall ultimately prevail.—It shall finally triumph. Say then, openly, in your verdict,—if you do condemn me, which I presume you will not,—that it is for my attachment to this cause alone, and not for those vain and wretched pretexts, stated in the indictment, intended only to colour and disguise the real motives of my accusation. The time will come, when men must stand or fall by their actions; when all human pagantry shall cease; when the hearts of all shall be laid open. If you regard your most important interests—if you wish that your conscience should whisper to you words of consolation, or speak to you in the terrible language of remorse—weigh well the verdict you are to pronounce. As for me, I am care

less and indifferent to my fate. I can look danger, and I can look death in the face, for I am shielded by the consciousness of my own rectitude. I may be condemned to languish in the recesses of a dungeon—I may be doomed to ascend the scaffold—Nothing can deprive me of the recollection of the past—Nothing can destroy my inward peace of mind, arising from the remembrance of having discharged my duty.

[When Mr. Muir sat down, an unanimous burst of applause was expressed by the audience.

When the acclamations had ceased, he arose and said :]

I have omitted to take notice of the evidence adduced upon my part. I am not going to detain you a moment longer.—To you I leave the import of the whole of that evidence.’

In summing up, the Lord JUSTICE CLERK said, *inter alia* :—

‘Mr. Muir might have known that no attention could be paid (by Parliament) to such a rabble (of petitioners.) He could have told them that the Parliament would never listen to their petition. How could they think of it? A Government in every country should be just like a corporation; and, in this country, it is made up of the landed interest, which alone has a right to be represented; as for the rabble, who have nothing but personal property, what hold has the nation of them?’ What security for the payment of their taxes? they may pack up all their property on their backs, and leave the country in the twinkling of an eye, but landed property cannot be removed.

Mr. Muir’s plan of discouraging revolt and all sorts of tumult was certainly political: for, until every thing was ripe for a general insurrection, any tumult or disorder could only tend, as he himself said, to ruin his cause; he was in the mean time, however, evidently poisoning the minds of the common people, and preparing them for rebellion.’

In delivering his opinion on the punishment, Lord Henderland said: “I am sorry, it wrings my very heart, to think that a gentleman of his description, of his profession, and of the talents he possesses, should be guilty of a crime deserving such a punishment, but I see no alternative.” So he proposed, “*transportation to Botany Bay, for FOURTEEN YEARS!*” In this “mild” judgment, the rest, namely, Lord Swinton, Lord Dunsinnan, Lord Abercrombie, and the Lord Justice Clerk, concurred. Lord Swinton said: “If punishment, adequate to the crime of sedition were to be sought for, it could not be found in our law, now that torture is happily abolished. Paulus, L. 38. Dig. de pœnis, writes, ‘*Actores seditionis et tumultus*, (in Mr. Muir’s case, there was no sedition, no tumult,) *populo concitato, pro qualitate dignitates, aut in furcam tolluntur, aut, bestiis obijciuntur, aut in insulam deportantur.*’ *We have chosen the mildest of these punishments.*”

* These expressions were animadverted upon with much severity by Mr. Fox in the House of Commons. See, in the ‘New Parl. History,’ Vol. 30, his speech on Mr. Adam’s motion, March 10, 1794.

September 12th and 13th, the Rev. Thomas Fyshe Palmer, was tried at Perth, for being accessory to the printing and circulation of an address, in favour of parliamentary reform, which had been composed by George Mealmaker, a witness for the prosecution. Mr. Palmer was a native of Bedfordshire, and had been a fellow of Queen's College, Cambridge, but was now a preacher of the Unitarian doctrine at Dundee, and had published several theological works. He was, says Mr. Belsham, in his memoirs of the Rev. Theophilus Lindsey, "a man of excellent understanding, unimpeachable morals, and of great simplicity of character." And Gilbert Wakefield, in his '*Silva Critica*,' calls him—"vir doctus, ingeniosus, et omni laude cumulandus"—"ideoque barbari homines ac nefarii—ad solitudines Novæ Hollandiæ relegarunt."

'In giving his opinion on the relevancy, Lord Eskgrove said, (quoting from the address :) "The friends of liberty call upon you—by all that you dread; by the sweet remembrance of your patriotic ancestors; and by all that your posterity have a right to expect from you,—to join us in our exertions for the preservation of our perishing liberty, and the recovery of our long lost rights." What a strange representation is this for a people! One would suppose this man was preaching to a set of people in Russia, or Otaheite, as ignorant of Britain as one of those people. Does he say in what manner these rights are to be asserted? Not a word. Does he say the meaning is, that you concur in a petition to parliament? There is no such thing; but you are to "gather round the fabric of liberty." I wonder he did not mention the tree of liberty. But if any Government suffer such an attack upon the constitution, making the man miserable who was happy before (nothing can have a worse effect to make men unhappy, and to bring anarchy and confusion into the country, among a set of originally well-disposed persons,) it will not long be a Government. It is the business of Parliament to take cognizance of its own members; it does not belong to me to inquire into it; (*i. e.* seditious speeches delivered in the House of Commons,) if they have said any thing wrong, I am very sorry for it; but, if there are a thousand instances of crimes that go unpunished, is that an argument to be used by a lawyer, because persons are guilty of equal crimes, and have not been punished, that therefore a supreme court is to stamp an authority upon crimes brought before them? I can have no hesitation in saying, in my conscience, that there would have been an end of all government; every man would be unworthy of existing, who held, that a person finding fault with the constitution, and raising insurrections in the country, is guilty of no crime: and because others have done it, that we are not to sustain the action, is an abomination; that if a court of justice were capable of it in this country, it would deserve and be worthy to receive the fate of that other country, in which all courts of justice, all liberty, and all religion have been overthrown. I am happy to say, that a late incident (the passing of Mr. Fox's libel bill) has shown that we have had more liberty than England has, for in questions of libel, and in questions of seditious publications, it never was in the breasts of the jury to say, whether it was a libel or not in England till lately; it is so now, which is another proof,

that the Parliament will amend themselves when they see cause for it ; in so doing they only adopted in England what is and was the law of Scotland.'

The two Judges, Lords Eskgrove and Abercrombie, concurred in sentencing Mr. Palmer to "the mildest punishment which could with propriety be inflicted,"—*transportation for SEVEN YEARS.*

IN 1794, January 6th and 7th, William Skirving was tried for sedition. He was secretary to the convention of delegates from the various Societies of Friends of the People. Nothing could be more harmless and contemptible than the members, means, and even intentions of these people. Their objects were, universal suffrage and annual parliaments. They had no arms, no money, nor any thought of carrying their purposes by force. They called each other "citizens;" their meetings, "sittings;" their divisions, "sections;" they appointed a "secret committee" to name a place where the convention should meet in the event of any "calamitous circumstances," such as a suspension of the *Habæus Corpus* act, or a foreign invasion, which might tend to deprive the people of their right to meet, either by themselves or by delegation, to discuss any matter relative to their common interest.

MR. SKIRVING.—"I should have been happy if the pleadings and relevancy had been before the jury. I think the jury are entitled to hear the relevancy, because the relevancy is a matter for the jury to consider ; and the jury ought to be present in order that no part of my cause be prejudiced."

LORD JUSTICE CLERK.—"They are all present in Court."

MR. SKIRVING.—"But they are not *in* Court, my Lord, nor upon oath ; I am willing, however, to say anything that I have to observe upon the relevancy before your Lordship ; but I certainly think myself bound to go over it *again* before the jury, after the oath of God is upon them."

In giving his opinion on the relevancy, Lord ESKGROVE said : "My Lord, before the alteration of the law of Scotland with regard to treason, I think that the facts charged in this indictment might have been laid as *treason*. Nay, my Lord, if a fact, which the Solicitor-General stated, should come out in evidence, that the British convention, as it is called, determined and resolved, that in the case of a French invasion, a convention of emergencies was to be called, *of course to assist that invasion*, [though such invasion had been described as one of those "calamitous circumstances" which would prevent their regular meetings !] I think if ~~that~~ be a fact, the public prosecutor might have laid his charge as *high treason*."

The Lord JUSTICE CLERK also said : “ *I think this crime might have been laid as high treason.* ”

The Lord JUSTICE CLERK, (when he had named the first five of the jury,)—“ Have you an objection to these five gentlemen ? ”

Mr. SKIRVING.—“ I object in general to all those, who are members of the Goldsmiths’-hall Association. And in the second place, I would object to all those who hold places under Government ; because it is a prosecution by Government against me ; and therefore, I apprehend, they cannot with freedom of mind judge in a case where they are materially parties.”

Lord ESKGROVE.—“ This gentleman’s objection is, that his jury ought to consist of the convention of the Friends of the People ; that every person wishing to support Government is incapable of passing upon his assize. And by making this objection, the panel is avowing, that it was their purpose to overturn the Government.”

Lord JUSTICE CLERK.—“ Does any of your Lordships think otherwise ? I dare say not.”

Mr. SKIRVING.—“ The ground of my objection to these gentlemen, was not, that they belonged to that association, by no means ; but, because they have prejudged me, in striking my name out of their society.”

Lord JUSTICE CLERK.—“ I remember the same objection was stated by Mr. Muir ; and was over-ruled.” *

Mr. Skirving was sentenced to be *transported for FOURTEEN YEARS !*

In the same year, January 13th and 14th, Maurice Margarot was tried for his share in the *same* proceedings.

Lord JUSTICE CLERK.—“ Do you object to any of these gentlemen ? ”

Mr. MARGAROT.—“ I have no personal objection, but I must beg to know by what law you have the picking of the jury, and that you alone have the picking of them ? ”

Margarot was a delegate from *England*. No wonder he was surprised to see the judge *pick* the jury !

Lord ABERCROMBIE.—“ His Lordship is not ‘ picking,’ but *naming* the jury, according to established law and the established constitution of the country ; and the gentleman at the bar has no right to put such a question.”

The Lord ADVOCATE appealed to the jury whether the accusation of their being picked was not as gross as it was unfounded.

* See Muir’s case, ‘ State Trials,’ vol. xxiii. pp. 131. *et seq.*

In giving his opinion on the punishment, Lord ESKGROVE said: "If that punishment was not too much for Skirving, the secretary of this convention, *who appears to be a simple deluded man*, it cannot be too much for this gentleman, who is, so far as I can judge, a man of abilities, of considerable knowledge, and one who took the lead in this convention."

The Lord JUSTICE CLERK said: "I did think that this crime deserved a *more severe* punishment; but I have always more pleasure in inflicting a *mild* punishment than a severe one; and as your Lordships are all of opinion that we should inflict the same punishment as in the case of Skirving and Muir, I concur in the same opinion, that he shall be transported for the term of fourteen years, with the usual certification."

In the same year, March 13th and 14th, Joseph Gerrald, also an Englishman, was tried for his share in the *same* proceedings.

Mr. GERRALD.—(When the jury were named.)—"My Lord, I object to Mr. William Creech; I understand he has repeatedly declared, in private conversations, that he would condemn any member of the British convention, if he should be called to pass upon their assize; and I wish to refer it to his own conscience, and his oath, whether he has not prejudged the principles upon which I am to be tried."

Lord HENDERLAND—"My Lord, the objection is, that he has prejudged the principles upon which Mr. Gerrald is to be tried; that he said he would condemn every member of the British convention; it is stated in a loose way, it is not stated that he said he would do so whether they were guilty or not; I cannot see that it is a relevant objection; if he had said, he would condemn them whether they were guilty or not, it would have been a good objection, but at present it is too generally laid."

Lord ESKGROVE—"If the allegation had been, that Mr. Creech had said he would convict Mr. Gerrald, right or wrong, the objection would be good; but if it was only in common conversation that he had such an opinion of the intentions of the British convention, it is not a good objection."

Lord SWINTON—"I am of the same opinion."

Lord DUNSINNAN—"I perfectly coincide with your Lordships."

Lord ABERCROMBIE—"I am of the same opinion."

Lord JUSTICE CLERK.—"*As this objection is stated, I hope there is not a gentleman of the jury, or any man in this court, who has not expressed the same sentiment.*" *

* See what occurred in Tutchin's case, 'State Trials,' vol. xiv. page 1101, and Hawk. Pl. Cr. there referred to. See also the case of O'Connor and others, A. D. 1798, *infra*.

MR. GERRALD.—“ Then my trial would be a matter of form merely, because a juryman, by saying out of doors that he would condemn every member of the British convention, takes for granted that very principle which remains to be proved. If a juryman had averred only that he would condemn all the disturbers of the public peace, no doubt he would be well warranted in making that assertion ; but, he says, he will condemn them, not because they were disturbers of the public peace, but because they were members of a convention, the illegality of which yet remains to be established. So that your Lordships must see that such a general declaration operates to the same conclusion, that he would condemn a man for that which may turn out to have been legal and constitutional ”.

LORD HENDERLAND.—“ I think Mr. Gerrald is very ill advised in the way in which he stated the objection ; because he has, in fact, acknowledged himself a member of the convention.”

When Mr. Gerrald objected to William Rankin because he was taylor to his Majesty, the objection was overruled ; and the Lord Justice Clerk said : “ If it had been *the king himself*, I do not see that it could be a valid objection ! ”

In summing up, the Lord Justice Clerk said : “ Gentlemen, I have anticipated a good deal of the evidence upon this head already. When you see Mr. Gerrald taking a very active part, and making speeches such as you have heard to day, I look upon him as a very dangerous member of society ; for I dare say he has eloquence enough to persuade the people to rise in arms.”

MR. GERRALD.—“ Oh my Lord ! my Lord ! this is a very improper way of addressing a jury ; it is descending to personal abuse. God forbid that my eloquence should ever be made use of for such a purpose ! ”

LORD JUSTICE CLERK.—“ Mr. Gerrald, I do not say that you did so, but that you had abilities to do it,”

In giving his opinion on the punishment, the Lord Justice Clerk said : “ I do not know whether his principles are so pure as he professed or not ; but *if they are*, I think it justifies this punishment just as much as if he had acted from the worst of motives, and therefore any other punishment (*than transportation for fourteen years*) would be insufficient.”

Mr. Palmer published ‘ A narration of the sufferings of T. F. Palmer and W. Skirving, during a voyage to New South Wales, 1794, on board the *Surprise*, Transport.’ The following is from the ‘ *Monthly Magazine*,’ vol. xvii. p. 85 :

‘ Soon after their arrival, Mr. Muir, Skirving, and Palmer delivered letters of recommendation to the governor of the colony, from persons in England of the first respectability ; houses were appointed to them contiguous to each

other, and Mr. Palmer wrote to his friends saying, 'we have no cause to complain of any want of civility or attention.' From this time they employed themselves in cultivating the land allotted to them, and the accounts given by Mr. Palmer and Skirving, were of the most favourable kind, both with respect to the climate of the country, and the fertility of the land. We have already seen that Palmer, Muir, and Skirving, arrived at Port Jackson, in October 1794. Early in the following year, Mr. Joseph Gerrald, who had engaged in the same cause, was doomed to experience the same harsh treatment. He had been long confined in a close room in Newgate, before he embarked for New Holland; his health was completely broken, and in a very short time after he landed at Port Jackson he fell a victim to the disease of the climate. By the sentence passed on Mr. Palmer, he could not set foot in Great Britain, till the middle of September 1800, without incurring the penalty of death. The voyage, however, would take several months had it been made by the shortest and quickest route; he, therefore, with his friends began to make preparations for returning at the end of the year 1799. A ship was purchased for the purpose, the principal part of which was the property of Mr. Palmer, though Captain Reed, Mr. Boston, and Mr. Ellis had a small share in her. On the 20th of January 1800, they set sail from Port Jackson, with an intention of going directly to New Zealand, to take in timber, for the market at the Cape of Good Hope. The ship was in a wretched condition, and provisions were taken on board for a voyage of only six months, a period which they had fixed for their arrival at the Cape. Twenty-six weeks, however, they spent at New Zealand, during which the whole of their stores were expended. Distress of the most alarming nature now compelled them to go in search of provisions; they steered for Tanga Taaboo, but there they could obtain no relief, in consequence of an existing war between the natives of this, and the neighbouring islands. From thence they resolved to call at the Feejee islands; at one of which they procured a small supply, and the favourable reception which they met with in the first instance, determined them to visit the others. By endeavouring to get to the island of Gornaa they ran their crazy vessel on a reef, which carried away a large part of her keel, and in less than half an hour, she made seven feet of water; but the surf rising, they were driven off the reef into deep water. Immediately they cast anchor, and with the assistance of the natives, repaired their vessel. To them also they were indebted, not only for a supply of every necessary while in that state, but for a liberal stock to go to sea with. They now determined to proceed to Macao, in China; but meeting with contrary winds, they sailed till their provisions were exhausted, and the repairs of the ship were all opening again. In this dreadful situation, they were compelled to put into the island of Guam, though they well knew it was an enemy's port. Upon coming to anchor, January 10th, 1801, the Spanish governor, in reply to their solicitations for provisions, assured them that unless they departed in two hours, he would detain them as prisoners of war, for to the enemies of his country he could give no support whatever. Necessity obliged them to submit to the hard terms offered them. They were immediately taken prisoners, and a guard put into their ship. Messrs. Palmer, Ellis, Boston, Reed, and Harris, sen. and jun., lived with the governor, and were treated with hospitality. During their stay here, which appears to have been a year and a half, Mr. Palmer was seized with a dysen-

tery, a disease with which he had been perpetually afflicted since he left England, but for which he conceived he had discovered an infallible remedy in cerated glass of antimony and ipecacuanha. In a letter to a friend in London, dated Sept. 10, 1799, he says, "I would not change my residence a week, without these medicines. I know that I should long have been dead but for them. I give from seven to ten grains of antimony, and alternately small doses of ipecacuanha. Oh, had I known of this remedy at Spithead, what lengthened misery, and wear and tear of constitution I should have escaped. Possibly Gerrald and Skirving might now have been alive!" Whether Mr. Palmer was now without his medicines, or what is more probable, whether the frequent attacks of the same disorder had weakened his constitution to a degree beyond the power of medicine to recruit, we have no information. He lingered under the disorder till the beginning of June 1802, when a mortification took place, which terminated his valuable life, on the second day of that month.*

Muir soon after his arrival in New South Wales effected his escape, to South America, whence he took a passage to Spain. During this voyage, in an action with a British frigate, he received a wound in the head; from this he recovered; but, on his arrival at the place of his destination, he was cast into prison by the Spanish authorities, and remained in confinement until, on the application of M. Talleyrand, in the name of the then Government of France, he obtained his release; he then returned to France and died at Bordeaux.

Gerrald (who at the time of his trial laboured under very ill health) and Skirving died soon after their arrival in New Holland.

Maurice Margarot, who appears to have conducted himself throughout with the most abandoned and shameless profligacy, was the only one of these convicts who returned to Great Britain. In the year 1812, a Committee of the House of Commons having been appointed to inquire into the manner in which sentences of transportation are executed, and the effects which have been produced by that mode of punishment, amongst the witnesses examined by that Committee, in the course of their inquiries, I find the name of Margarot. By his testimony, it appears that he remained in New South Wales until the year 1810, and that the expense attending his return from that colony to London, amounted (within a few shillings) to four hundred and fifty pounds sterling.* This worthless man died soon after, (I believe in 1815,) while a subscription was raising for his relief.'

On these cases, see debates in the House of Lords, Jan. 29 and April 25, 1794; and in the House of Commons, March 10, 1794.

Mr. Fox said, 'But there is one strange assertion made by one of the Lords of Justiciary, (the Lord Justice Clerk.) He says, "that no man has a right in the constitution, unless he possesses a landed property; men of personal property, though they may have immense sums in the funds, have no lot or part in the matter." How absurd, how nonsensical, how ridiculous! When judges speak thus

* See the Report from the Select Committee on Transportation, ordered by the House of Commons to be printed, 10 July 1812. pp. 52 et seq.

with levity, at random, and in a manner that discovers the most profound ignorance of the constitution, what is the inference I would draw? That the temper of the judges is manifest from such conduct, which never occurred even in the reign of the Stuarts. Another learned Lord said, that as he saw no punishment for sedition in our law, he must go into the Roman law; and having recourse to this extra-judicial authority, he at last discovered that the mildest punishment which could be inflicted on the unfortunate gentleman was—transportation for fourteen years! The Roman law left it at the learned Lord's discretion to give Mr. Muir either to the gallows!—to wild beasts!—or to Botany Bay; and of the whole he had happily selected the mildest! He was utterly amazed when he learned that a judge had seriously supported such unaccountable nonsense from the bench—such nonsense as ought not to be suffered from the youngest or most ignorant student. He had always entertained the highest veneration for the character of a judge; and his indignation was roused, to find that the learned Lord, instead of discharging his duty with the gravity becoming the bench, had acted with ignorance, levity, and hypocrisy. After having put his invention to the rack, he had at last hit upon the mild punishment of fourteen years' transportation beyond the seas! Good God! Sir, any man of spirit (and such he believed Mr. Muir to be) would sooner prefer death than this mildest instance of the judge's mercy. But another of these learned Lords, or perhaps the same, (for with their names I profess myself totally unacquainted,) asserted, that now the torture was banished, there was no adequate punishment for sedition! Here, Sir, is language which also shows the temper, the ignorance, the levity, the hypocrisy of this imprudent man: let him be either serious or in jest, the sentiment was equally intolerable. I know not which of them advanced such a proposition, but God help the people who have such judges!

Mr. Fox also said: 'If that day should ever arrive, which the Lord Advocate seems so anxiously to wish for—if the tyrannical laws of Scotland should ever be introduced in opposition to the humane laws of England, it would then be high time for my honourable friends and myself to settle our affairs and retire to some happier clime, where we might at least enjoy those rights which God has given to man, and which his nature tells him he has a right to demand.'

Leaving to Mr. Fox's execration the inhumanity of the law of Scotland, the partiality in the nomination of the juries, the injustice of the verdicts and the cruelty of the punishments, we may ask, whether it was by a "humane" law that Lord George Gordon suffered imprisonment for FIVE years; Daniel Holt for FOUR years, or at least till he died in prison; Mr. Winterbotham, Gilbert Wakefield, and so many others, for TWO years?

In 1794, Daniel Isaac Eaton was tried at the Old Bailey, before the Recorder (Sir J. W. Rose), for the following "seditious libel" contained in a periodical publication entitled 'Politics for the People, or Hog's Wash,' viz.:

'You must know then that I used, together with a variety of youthful attachments, to be very fond of birds and poultry; and among other things of this kind, I had a very fine majestic kind of animal, a game cock, a haughty, sanguinary tyrant, nursed in blood and slaughter from his infancy, fond of foreign

wars and domestic rebellions, into which he would sometimes drive his subjects, by his oppressive obstinacy, in hopes that he might increase his power and glory by their suppression; now, this haughty old tyrant would never let my farm-yard be quiet; for not content with devouring by far the greater part of the grain that was scattered for the morning and evening repast, and snatching at every little treasure, that the toil of more industrious birds might happen to scratch out of the bowels of the earth, the restless despot must be always picking and cuffing at the poor doves and pullets, and little defenceless chickens, so that they could never eat the scanty remnant, which his inordinate taxation left them, in peace and quietness: now, though there were some aristocratic prejudices hanging about me from my education, so that I could not help looking, with some considerable reverence, upon the majestic decorations of the person of king Chauncielere, such as his ermine spotted breast, the fine gold trappings about his neck and shoulders, the flowing robe of plumage tucked up at his rump, and, above all, that fine ornamented thing about his head there, his crown or cock comb, I believe you call it, (however the distinction is not very important,) yet I had, even at that time, some lurking principles of aversion to bare-faced despotism struggling at my heart, which would sometimes whisper to me, that the best thing one could do, either for cocks and hens, or men and women, was to rid the world of tyrants, whose shrill martial clarions (the provocatives to fame and murder) disturbed the repose, and destroyed the happiness of their respective communities; so, I believe if guillotines had been in fashion, I should certainly have guillotined him, being desirous to be merciful even in the stroke of death; and knowing, the instant the brain is separated from the heart (which, with this instrument, is done in a moment), pain and consciousness is at an end, while the lingering torture of the rope may procrastinate the pang for half an hour; however I managed the business very well, for I caught Mr. Tyrant by the head, and dragging him immediately to the block, with a heavy knife in my hand, separated his neck at a blow; and what will surprise you very much, when his fine trappings were stripped off, I found he was no better than a common scratch dunghill pullet; no, nor half so good; for he was tough and oily, and rank with the pollutions of his luxurious vices.'

After an animated, effective speech for the defendant by Mr. Gurney, and a drowsy summing up by the Recorder, the jury, in about *an hour*, returned with a verdict of NOT GUILTY.

SONNET.—THE NAMELESS STREAM.

I FOUND a nameless stream among the hills,
 And traced its course through many a changeful scene;
 Now gliding free through grassy uplands green,
 And bowery forests, laved by limpid rills;
 Now dashing through dark grottoes, where distils
 The poison dew; then issuing all serene
 'Mong flowery meads, where snow-white lilies skreen
 The wild swan's whiter breast: at length it fills
 Its deepening channels, flowing calmly on
 To join the Ocean on his billowy beach:
 But that bright bourne its current ne'er shall reach—
 It meets the thirsty Desert—and is gone
 To waste oblivion!—Let its story teach
 The fate of one—who sinks like it unknown.

ANCIENT ACCOUNT OF THE CAPTURE OF BAGHDAD BY THE TURKS.

THE following account of the capture of Baghdád, by Murád the Fourth, surnamed Ghází, or the Conqueror, is given by M. du Loir, in the original Turkish; but in Roman letters, together with a French translation, in his '*Voyages*,' published at Paris, 1654, which being of rare occurrence, I presume the narrative, the work of a Turkish officer present at the siege, may be acceptable to the readers of the '*Oriental Herald*.'

It is not to be wondered at, that the dreadful massacre, perpetrated by the Turks, should be so glossed over as we find it here. It is however pretty certain, that the revolt of the Persians was a mere pretext for a butchery, the like of which is too often found in the history of the Ottomans. Their own authors are compelled to acknowledge the barbarity and ferocity of the national character; and the dreadful fate of Tabriz, in the sixteenth, was even less horrible than that of Scio, in the nineteenth century. It is consolatory to know, that Husain Páshá, the ready tool, if not the first adviser, of this massacre, and who had before betrayed Eri-ván, where he commanded for Sháh Safi, to Murád, met at length with the fate he so well deserved. The Sháh refused all terms of peace with the Porte, without the punishment of his traitorous subject, and Murád, at the end of one of their drunken bouts together, had him strangled in his presence.

D. S.

The conquest of Baghdád, by Sultán Murád Khán, son of Sultán Ahmad Khán, son of Sultán Muhammad Khán, son of Murád Khán.—May God lengthen his Khalifat!

On Monday, the eighth day of the moon Rajab, of this fortunate year, (of the Hejrah 1047—A. D. 1637,) we arrived at the city of Baghdád; and no sooner had the pavillion of the Emperor been pitched upon the bank of the 'Tygris, near the sepulchre of the Imám Aâzam (Abù Hanífab), than pick-axes, shovels, powder, matches, and lead, were distributed to all, who were to work in the trenches. The Emperor, who continued giving commands till night, so eager was he to revenge himself upon the enemy, called the Grand Vazír, and so animated him, with his heart-inspiring words, that attaching the skirt of his robe to his girdle, that commander proceeded forthwith to kindle the ardour of the army, by the following address: "Conquerors and warriors of the faith, Baghdád belongeth to us. This is the day, in which you must show your valour against the foe; for the love of God fight bravely. To you we give all the wealth of those whose heads are forfeit unto us." Having promised an increase of pay, he then hung his

buckler around his neck, and taking bow and arrows in hand, to commence the attack, commanded a battery of six-and-thirty pieces of cannon to begin to play. The shouts of "Allah Akbar," mingled with the roar of the guns, made a noise so tremendous, that it might have been thought the day of judgment; and the air was so darkened, that the father could not see his son, nor the son his father. To cover the opening of the trenches, the Grand Vazir Muhammad Páshá, the Beglerbeg of Rúmili, Alí Páshá Arslánzádah, and the Aghá of the Janissaries, directed the first fire from the battering pieces, and as many royal falcons, towards the east, at the white gate near the corner of the tower of Jighalzadah, opposite the citadel. When the trenches had been carried beyond the white gate, Mustafá Páshá, the Beglerbeg of Damascus, the * Khazínahdár Ibrahim Páshá, Valí the Sanjak Beg of Kastandil, Báyzid Beg of Valona, Husain Aghá † Samsúnjí Báshí with his regiment of Janissaries, and forty ‡ Chúrbájís with their companies, took up their post at the Persian tower, with seven battering pieces, and five royal falcons. There were five battering pieces, a little further on, where were posted the Grand Vazir, the Beglerbeg of Anátálí Husain Páshá with his troops, and those of Egypt; and the § Kárjí Báshí, with forty companies of Janissaries. A little beyond again, towards the gate of darkness, where stood the great tower which fell between the two castles, the Beglerbeg of Diárbekr, Darvish Muhammad Páshá with his troops, and seven Chúrbájís, entered the trenches, under cover of seven heavy cannons; and the || Silahdár Mustafá Páshá, with the Syrian troops, seven battering pieces, and thirty royal falcons, having taken a position opposite that part where the tower of birds stands, began to batter the town on all sides, with such fury, that it seemed as if chaos were returning, and the world about to be overturned.

* Khazínah dar—The treasurer.

† Samsúnjí Báshí—Keeper of the hounds. This officer who, as his title indicates, belonged to the hunting establishment of the Grand Signior, was always Captain of the seventy-first company, of that division of the Janissaries which was called Jamaát. The first Sultáns were fond of hunting; the later ones have seldom followed it; their habits of life, contracted in the sloth of the Seraglio, and its being somewhat against the spirit, if not the letter of their religion, may account for this alteration.

‡ Chúrbájí—A Captain of the Janissaries; the name literally means, a soap-maker. The whole establishment of that formidable corps was calculated on somewhat of kitchen economy; their kettles, as is well known, were, when reversed, the signal of insurrection; and to lose them to the enemy, was as disgraceful as it would be to an English or French regiment to abandon their colours.

§ Kárjí Báshí.—This officer was, as M. du Loir notes, appointed to superintend the supply of snow for the Sherbet of the Sultán. The name indeed implies it, but I think there is now no such officer in the Seraglio.

|| Silah dár—The sword-bearer of the Sultán; but I suspect that it means here, the commander of the cavalry Silah dárs.

The counterscarp being penetrated from the trenches, they entered the ditch ; and two or three large towers were brought to the ground. On the side of the Grand Vazír, the half of another great bastion was beaten down ; and having destroyed two others which stood between, the approaches were completed in thirty days, and the front line being now advanced to the fossé, it only remained to fill that up. For this purpose, bags were ordered to be prepared : the Spákis furnished 8000, the Mufti 300, each of the Kázi-askars 100, and the camel-drivers, muleteers, and porters, 300,000 of all sorts ; hair-cloth, linen, and canvas. Fifteen hundred palm-trees were cut down also, and cast into the fossé ; and for ten days and nights, the troops were employed in carrying earth, to fill up the ditch, which was of the depth of three men, and had one fathom of water.

On the nineteenth of the moon of Shábán, the volunteers for the assault were enrolled, and distributed into companies. On the same day, after invoking the aid of God, they marched straight to the tower, near the quarters of the Grand Vazír, intending to carry it at day-break. The command of the volunteers of the Janissaries was given to Ibrahim* Bulúk Báshí, Captain of the 25th orta ; and that of the Spáhís, 300 of whom were of the party, to Shábáz ; and all of them, giving a loud shout, began to sap the foot of the tower. It was then that the soul of the wretched enemy mounted to his head, believing that the assault had begun, and causing the trumpets and drums to sound, they employed all possible means of defence, and besides a shower of musket balls, darts, and stones, they cast upon our warriors hand-grenadoes and artificial fire, so that many were that day slain, and wounded. The contest at length became so obstinate, that it lasted three days and nights, with the utmost fury. The Persians uttering loud cries, and our soldiers animating each other with the shouts which they raised to the heavens. They fought hand to hand, and some wrestled together, while others used their clenched fists, stones, gravel, or their daggers. The Grand Vazír himself, with his bow and arrows, like Sayyid Wakkás, let fly so many darts against these cursed hogs, that he emptied his quiver. Some were pierced in the head, or shoulder ; others in the belly ; one lost his eye, another his life ; but at length, one miscreant taking aim at him, pierced his throat with a ball, which came out at the nape of his neck ; and his bow and arrows falling from his grasp, he gave up his pious soul to God. Several valiant commanders, who were near him, drank at the same time of the cup of martyrdom. One of his Aghás, a man of great bravery, seeing that this unhappy event had somewhat slackened the ar-

* Bulúk Báshí—The Colonel of the second division of the Janissaries, Bulúk.

dour of the soldiers, ordered the body of his master to be put in a small tent, and hastening to the Emperor, said, "May my sovereign live! Muhammad Páshá is among the martyrs." The Emperor was so surprised and grieved at this intelligence, that a blessed tear fell from his eyes; and immediately calling for the Capádán Mustafá Pásha, he created him Grand Vazir.

This new commander proceeded immediately to the quarters of the late Vazir; and after having distributed money among the troops, exhorted them to exert themselves to the utmost, and fight for the love of God, for their faith, and for the Emperor. He then ordered the charge to be sounded, and our warriors attacked the enemy so fiercely, with their fatal swords, that Rustam Dastán Juhán Kaharmán, or Zál Natuerán, never witnessed such a combat. It was increased in horror, by the neighing of the horses, the whistling of the arrows, and the clashing of the swords; while the musketry and artillery played with such fury on both sides, that the frightful noise made the heart sink, and the air and the earth echoed, as if with heavy thunder. At length, in spite of all the efforts of the enemy, the army of the faith displayed the standard of victory on the summit of the tower, amid acclamations of joy that reached to the skies. At the same spot, the intendant and cup-bearer of the late Vazir, Rizwán, and Ali Beg; the commander of the * Dalis, Nasúh Beg; and the † Sarráj Bashí, Husain Aghá; with many valiant soldiers and pages (Ich Oglans) were slain, and great numbers were wounded.

Night having come, the body of the late Vazir was carried away by torch light, and buried where his father, who had been Beglerbeg of Baghdád, had erected a mausoleum, in the monastery, where the Imám Azāam also lies. During the night, the battle recommenced, and continued with such fury till day-break, that the blood flowed in torrents, and the enemy being able to resist no longer, on Friday, the 29th of the same moon, these cursed hogs were heard crying from the battlements for quarter, saying, "Mercy! mercy! oh Lord of the Conjunction ‡ (Sáhib i Karán) and of the age, Khalif of the world, and flower of the race of Osmán. Mercy! mercy! for the love of God, and of your ancestors. Bak-

* The Dalis are a light cavalry somewhat resembling our hussars.

† Sarráj Báshí—Chief of the grooms.

‡ M. du Loir, who was perhaps better versed in the colloquial than written Turkish, and ignorant of Arabic and Persian, makes here a somewhat ludicrous mistake. He writes in French, "Misericorde ha! Seigneur de l'Alcoran, et du temps;" and on the opposite page, "Al imán, al imán, ya Sáhib al Kirán wa Zamán." But this certainly is not "Lord of the Alcoran;" but, as will be evident to every orientalist, "Lord of the Conjunction," a title given to Tímúr, and signifying that he was born under a fortunate conjunction of the planets. The words are wholly different, and come from very different roots, Korán from Karaa—he read; the second from Karana—he joined.

tash Khán shall come out and surrender the town to you." At the same moment a parley was sounded in a hundred places; and the Ş Cháúsh Tarak entered the place, by the gate of the Imám Aázam, in order to learn what was its condition. On the other side, the Khán, who was named Ali Aghá, sent out a man of the town with passports, who proceeded to the tent of the Grand Vazír.

More than two hundred of the troops of Rámili and the Janissaries, on hearing this good news, crowded round the pavilion of the victorious Sultán Murád, who loaded them with praises and gifts; and gave the enemy till night time to leave the town. Baktash Khán, on his side, proceeded with all his suite to the tent of the Grand Vazír, while the Emperor, with the crown on his head, and robed and girded royally, sat under a splendid canopy, with imperial majesty, and || the haughtiness of the lion and tyger. Arranged before and on each side of him, with their hands crossed upon their bosoms, stood the High Mufti, the Kázi Askars, all the Vazírs—in a word, all the army of the faithful, in their bonnets of ceremony, and with their khanjars enriched with precious stones: all the pages were habited in celestial blue. To impress the enemy with awe, the troops were all drawn up in military order, and every one had taken so much care to appear in his best equipments, that they resembled the flowers of spring; so gaily were they ornamented; their cuirasses, coats of mail, and stirrups being decorated with gold and silver. The Janissaries were cased in resplendent armour, and the brilliancy of their naked sabres dazzled the eyes of the beholders.

The army occupied the whole space from the gate of the tower to the Imperial Pavilion. The archers, the musketeers, the Tartars, the Syrians, the Egyptians, the Kurds, were all in separate divisions, waiting impatiently the arrival of Bektash Khán.

In the mean time, the sublime Emperor had no sooner sent a message to the Commanders of Baghdád, to announce that he gave them till night to quit the place, and that all found thereafter would be put to the sword, than Bektash Khán hastened to the Grand Vazír. When he saw himself before the Imperial pavilion, the refuge of the world, the grandeur and power there displayed gave rise to a thousand feelings of respect and awe. When he surveyed so many hundred thousand warriors, furnished with every variety of arms and instruments of war, each with a sword like a serpent or a seven-headed dragon, and in such exact order, that it might have been thought a thousand men stood on the feet of one, his astonishment was extreme. But far greater was it when he saw the Emperor sitting on his throne, with a majesty and splendour,

Ş Cháúsh—Usher of state.

|| Singular and beautiful comparison may seem, it is not more so than the title constantly given to the Grand Signior by the Sultáanah Valídah, or Sultán-Mother. He is always called by her "Arslanám," my lion, or "Kaplánám," my tiger.

that eclipsed all the greatness of Kahrnmán or Narman. The hearts of the Divs would indeed have sunk within them at the sight ; and a thousand Rustams or Afrásiabs would have been but an atom in the presence of a monarch, uniting in himself the modesty of Solomon, the dignity of Ali, the justice of Nùshírván, the majesty of Osman, the gravity of Omar, and the benignity of Abú-bekr. The Vazírs, the great lords, the counsellors of the Diván, all were standing in the shadow of the king of kings, when Bektash Khán, kissing the ground, addressed him thus : “ O monarch of exalted race ! king of kings, lord of the land and sea, Arabs and Persians, Vicar of the Prophet ! may God preserve for ever your Khalifat ! ” After speaking thus, he stood in an attitude of the greatest respect, awaiting an answer.

In a little time, this fortunate and great emperor, the refuge of the world, raising his head with the greatest majesty, gave motion to his blessed tongue, and said : “ Who art thou : for what comest thou here ? ” Bektash Khán replied : “ I am thy slave, Bektash Khán, the Governor of Baghdád, and am come hither to surrender that place to my sovereign.” To this the Emperor answered : “ Why did you not yield before : what need was there for so much resistance ? But, however, there are few who could better serve their master. I have given quarter to you, your troops, and officers. As for me, I came hither to subdue the Kizilhášhes (Red-heads, Persians). This place is an appanage of our forefathers, and I am come for the purpose of recovering it.” After a few more words, he gave to Bektash Khán a black heron plume, mounted in diamonds, a poinard enriched with jewels, and a pelisse furred with sables ; giving orders, at the same time, that proclamation should be made that all who chose to present themselves would be received favourably, and that all who preferred the service of their Sháh, would be permitted to depart freely : Bektash Khán remained. Praise be to God !

We thus delivered the Faithful from the hands of the heretics, and Baghdád was conquered in forty days. The Janissaires, the Spáhís, and indeed all the troops, were loaded with favours. On our side there were five thousand slain and ten thousand wounded ; but on that of the Persians, more than five-and-twenty thousand were sent to hell by the sword, musketry, or artillery. So many repairs were necessary to the fortress, that the Bahrám was passed there. May God give victory to the nation of Muhanmad, by land and by sea, and annihilate its enemies ! So be it with the justice of the Lord of the Believers !

After Bektash Khán had left the town, Fatah Khán, Khalíf Khán, and Ali Khán, remained : and being united, came to the determination of not leaving the place. Khalíf Khán put on a superb vest, and drank to the prosperity of Sháh Safí, and as they had a corps of twenty thousand men yet remaining, they resolved to per-

severe. Ali Páshá Arslánzadah, having heard this, hastened into the town, at the head of the Janissaries, and soon reducing all opposition, made such good use of the sword of Muhammad, and sabre of Ahmad on these accursed ones, that the blood, flowing in torrents, carried off horses in its stream. Praise be to God! Not a drop of blood fell from one of our victorious warriors; who were so wearied with slaying, that at length they were unable to lift their swords. Many there were who each killed fifteen.

The news of this revolt being carried to the Emperor, he was much enraged: "I gave them quarter," said he, "why do they break the conditions of it?" Upon this Husain Páshá begged permission to attack them, but was refused. He solicited again: "These men," said he, "are traitors, let us put them all to the sword, if there be a crime in doing so, let it rest upon me; the advantage of it will be yours." The Emperor at length gave his consent, and fixing a heron plume set with diamonds on the Páshá's head, "Go," said he, "and do as thou wilt." No sooner did Husain Páshá hear these words, than crying aloud, "Allah Akbar," he mounted his horse, and put himself, sabre in hand, at the head of the troops, who plied their swords on the Persians so effectually, that it is impossible to describe the execution. The enemy fled towards the Gate of Darkness, invoking blessings on the whips with which they urged on their steeds; but so great was the crowd and obstruction there, that our soldiers overtook them. Then was he who had been the slayer, slain; and he who had taken captive, captured himself. Out of twenty-five thousand not one escaped. Khalif Khán and Fatah Khán, with one hundred captains, and many officers of rank, were taken; and so great was the number of heads laid before the pavilion of the Emperor, that they formed large hills. The prisoners, bleating like sheep, raised piteous cries to heaven, and his Majesty, exalted as the stars, reproached them thus: "I granted quarter, and sent to notify it to you; why then did you revolt, and refuse to leave the town? Let the consequences rest upon you." He then gave two or three to the charge of the Sileh dár Mustafá Páshá, and left the rest of these accursed ones to the mercy of the soldiers, who made some food for their sabres, and gave up the rest to the Janissaries.

Thus the splendour of conquest shone upon our arms, and so great was the wealth acquired by our victorious troops, that he who had never had before a single piece of silver, now possessed ten thousand, and under the fortune of the Emperor, became owner of horses and of wealth of all sorts. Here then is the history of the taking of Baghdád; scarcely one out of a thousand of those within it escaped.

After this conquest, curiosity was excited as to whither our exalted Prince would turn his arms; all praying that God would augment and prolong his glory; so may it be, by the merits of all the prophets!

BRITISH AMBASSADORS ABROAD.

TRAVELLERS in all parts of the world expect to meet with less facilities and fewer comforts than at home : and therefore it is that, generally speaking, they lay in a fund of patience and good-humour as necessary to bear them up against the trials to which they will be sure to be put, at almost every stage of their way. There are some of these, however, so unpardonable on the part of those who inflict them, that they deserve to be made public : first with a view to shame, if possible, the offenders, and bring them to a sense of their duty ; and next to put other travellers on their guard, with a view to prepare them the better to counteract such inconveniences. The following extract of a very late letter from a friend passing through Stuttgart, contains matter of that description, which we therefore readily publish :

‘ The following specimen of the mode in which the diplomatic functions are exercised at those petty courts, where the dignity of the British nation and ministerial tenacity of patronage exact the costly formality of an Embassy, may give you some insight into the mysteries of office. It may also serve as a new theme for those who love to modulate on the advantages of “ nurseries for sucking statesmen.”

‘ On arriving at Stuttgart we were informed that it was impossible to penetrate further into Germany without having our passports countersigned by the Austrian and Bavarian Ambassadors. We accordingly sent them to their Excellencies, but were told that those august personages would not even look at them until the British minister had certified that we were good men and true, by affixing his signature to the passports. It accordingly became necessary to wait upon Lord Erskine, to whom the national dignity at the Court of Wirtemberg has been confided. It appeared, however, that his Lordship had absented himself on one of those excursions of relaxation which the stern nature of his official duties occasionally demanded. “ Ever anxious,” however, (like Messrs. Day and Martin,) to superintend vigilantly the British interests, he had confided the important trust to Mr. St. Vincent Whitshed, who remained as *chargé d'affaires*, and to whom we were told to address ourselves. But it would seem that Mr. St. Vincent Whitshed considered the charge of his own affairs to be one of sufficient weight to engross all his time ; for on reaching his abode and toiling up a wearisome flight of steps to the fifth or sixth story, in which elevated region are the official recesses, (doubtless with a view to express figuratively the difficulty of climbing to diplomatic exaltation,) the *chargé d'affaires* was in that state in which, according to the legal maxim—*de non apparentibus et de non esistentibus, eadem est ratio*—he might be considered as defunct. In other words, Mr. Whitshed had locked up his rooms and our passports, and had set off no one knew where.

‘ During the whole day were we and our servant kept dancing attendance from one house to the other, in the hope of catching this slippery minister ; we did not recover our passports until four o’clock, and then it was past the business hours of the Bavarian minister, and we are obliged to set off without his signature, in the hope that it may be unimportant, and with the comfortable chance of being turned back on the frontier. No comment is necessary on the strange want of regularity displayed in the above affair. The want of consideration, also, for the comfort and convenience of British subjects travelling in these countries, will be sufficiently manifest to those who know that in these strong holds of despotism, where suspicion and illiberality lurk in every village, where every traveller is looked upon either as a smuggler or an enemy to social order, and his portmanteau and motives are scrutinized with the most jealous and prying minuteness, the British Ambassador, if Ambassador there must be, is especially called upon to extend the little protection he *can* afford, with alacrity and good will, to his fellow-countrymen who may be placed at his mercy, and to save them, as far as he honestly can, from the fangs of the police of the Holy Alliance. Why should not the job be well done like other jobs ? You should know that in these countries public conveyances are few and far between, so that the loss of a day in the above manner, may cause a detention of several days ; an inconvenience to which travellers ought not to be subjected for the whim of a functionary.

‘ A remarkable circumstance in the above adventure was, that neither at the abode of Lord Erskine, nor at that of his deputy, were any official appendages to be seen ; no solemn looking persons seated at desks ; no tomes of archives ; no pigeon-holes well stored with bundles of papers tied with red tape ; no green bags ; no quires of paper ; no newspapers ; in short, none of the paraphernalia which usually appertain to diplomatic and other offices. In truth, at neither place was there any office. At Lord Erskine’s we were ushered into the pantry, and had an audience of the groom, (not of the chambers, but of the stable,) who was devouring his bouilli and sour crout. At Mr. Whitshed’s (au cinquieme) we had the better luck to penetrate as far as the kitchen, and got the ear of the scullion wench. One naturally asks, how are these officers paid ? Poorly enough I should suppose, if their salaries will not admit of their maintaining a clerk between them ! You can perhaps ascertain this point. I should tell you that our *valet de place* informed us that cases like ours were by no means uncommon.

‘ It happens strangely enough, that, at the same time, our minister at Frankfurt was absent : his locum-tenens, however, was at his post. He of Munnich, I understand, has also given himself leave of absence. Perhaps there is a congress of British Ambassadors summoned to deliberate on some important matter !’

PROGRESS OF THE BURMESE WAR—CAMPAIGN OF 1824, 1825—
CHITTAGONG AND ARRACAN.

Fourth Article.

FROM the prosecution of the war in Arracan, we now come to measures for its occupation, after offensive operations were relinquished. The nature of the country around Arracan was in every respect unfitted to cantoon a large force; the best information represented the climate to be so very insalubrious, that the Bundoola had here lost during the last rains no less than four thousand men. Disposed as we have been to give General Morrison credit for the conduct of the campaign, we must reprobate in unmeasured terms, the fatal resolve to crowd Arracan with cantonments, and so detain an army of ten thousand men around an unhealthy capital that could demand no more than 2000 men for efficient defence. The lesson received at Chittagong was forgotten, and the harassing system of martinetism brought into practice after the force was freed from the presence of an enemy. The horrors which ensued baffle description; the army was literally destroyed by the injudicious measures pursued; the ravages of disease were augmented by a deficient and unwholesome supply of provisions. To the Commissariat Officers in Arracan no censure would seem to attach, as they were merely the channel for the issue of supplies consigned to their custody.

Throughout the present war, the Commissariat had generally failed to meet the exigencies of the service; to defective organization, and an efficient head, such failures can alone be attributed. With the resources of all India at command, with ample time to form depôts and collect transport, to what other resources can such result be traced?

The few officers in the executive branches (one, for instance, to Assam, one to the Sylhet, and two to the Arracan army) were oppressed with duty, and cramped in the exercise of their own discretion by a system of indents and references to the Commissary-General, which left little personal responsibility; while it not unfrequently caused local resources to be overlooked or neglected. Another glaring defect, arising from this deficiency of officers for the duties of the department, was, that it devolved on Native agents employments open to great malversation and abuse, without affording European supervision to check and control these consequences.

Cattle for slaughter being attainable in Arracan, the European troops were tolerably well supplied with fresh meat; but many of the imported articles of consumption were of bad quality and

deficient in quantity. The flour and biscuit were not eatable, and most of the salt provisions sent round were putrid from bad curing, attributable to haste, and forcing the contractor to cure meat out of season. No check appears to have been resorted to when the supplies contracted for were tendered, but they were received by the Commissariat in Fort William, without the common and usual expedient of a committee to pronounce them serviceable. The issues of rice to the Native troops would appear to have been of good quantity; but ottah, the most wholesome and nourishing food for the Native soldier, an article, too, on which the men of all corps drawn from the western provinces had dieted, was withheld throughout the season, or if supplied, late in the year, in proportions very inadequate to useful consumption. In the hospitals, both European and Native, the Survey Department became inefficient, as the sickness in the corps augmented; many of the more nourishing and indispensable articles included in the diet tables were wanting, and the nutritive and expensive substitutes of sago and arrow root were occasionally issued in their room; but common sense must tell us, that the crowded hospitals of Arracan could not be effectually supplied with such costly aliment, when the more common articles of flour, biscuit, &c., failed. To add to the distress, the Medical depôt was often unable to comply with the demands made on it for medicine. Complaints would naturally follow this state of things, and several of the medical officers were not backward in representations on the subject; but the loudest complainant was Dr. Tytler, who has always some system to advocate, or some party to oppose; although, in the present instance, the Doctor's denunciations produced inquiry in Arracan, and subsequently in Calcutta, there can be little room to doubt that so notorious a wrangler was prejudicial to a good cause. Many and serious grounds of complaint existed, but it is believed that the greater part of Dr. Tytler's charges were either frivolous or unfounded. The result of the inquiry instituted in Calcutta will never transpire in India; the agitation of the questions it embraced must, however, have beneficial consequences, though their operation may, from want of due publicity and exposure, be confined to the official career of the parties most immediately concerned.

We had hoped to be able to subjoin an abstract of the sick and casualties in Arracan, from May to December 1825, but the requisite data have perished under circumstances only to be explained by General Morrison. During the rot of this fine army around Arracan, regular returns of sick and casualties were weekly, if not daily, delivered into the Deputy-Assistant-Adjutant-General's Office, and these documents were embodied in a general abstract. When sickness, at the close of the year, drove General Morrison to Calcutta, and he finally relinquished the command in Arracan, Lieutenant Scott, Deputy-Assistant-Adjutant-General, before

making over the office to his successor, was instructed, we are told, by General Morrison, to destroy these valuable records. From this act, an inference might be drawn, that General Morrison had at last become alive to the glaring absurdity and folly of an arrangement which cooped up a large force in a situation so confined and unhealthy that its utter annihilation ensued. This endeavour to bury in oblivion the melancholy process by which this fatal result was consummated, though a ready expedient, will fail in the end proposed, and cast a shade over General Morrison's reputation not easily removed. We state the above fact on the best authority, and forbear further comment.

The force in Arracan, according to the returns for July 1825, amounted to 12,500 men, of which from two to three thousand were on detached duties, the residue placed in cantonments, at and near the city of Arracan. Of this force, on the above date, only 3,000 men were fit for duty. The sick at Arracan amounted to 5,700. In the 10th Regiment Madras Native Infantry, 270 sick; 16th Madras Native Infantry, at Mehaku, 500 sick; 2d Light Infantry Battalion, in Arracan, 400 sick; 49th Regiment Bengal Native Infantry, the *entire corps* in hospital at Arracan!!! 42d and 62d Regiments Bengal Native Infantry, driven from the posts at Oondy stockade by extensive sickness. On the 20th of July eleven Europeans died, and seven the next day; twenty-three Europeans and fifty-six Natives having died in the past fortnight, and 14 officers and 700 men were admitted into hospital in the same brief period; 40 officers were sick present, and 30 sick absent. The rivers and water-courses were so filled with dead bodies that the tide failed to remove the horrifying evidence of mortality from the view of the dispirited and miserable survivors! It appears that the garrison of Ramree was comparatively healthy, though it consisted of 700 men, (40th Regiment of Bengal Native Infantry,) who had been at Cheduba and Ramree since May 1824. Out of the number stated, the sick and convalescent lists amounted to 150 men. The Mug Levy, though stationed at Arracan, was said to have only 40 sick; but this corps is composed of inhabitants of that country. Such are the general notices which we substitute for the more precise tables intended. Though delayed, there is a hope that data may yet be forthcoming to supply the omission.

Whatever degree of responsibility may attach to General Morrison for his share in measures producing such a crisis, the neglect and apathy with which the Commander-in-Chief viewed this waste of life must not be overlooked, or he would be deprived of a niche in the temple of fame, due to such extraordinary merit. Indeed, Sir Edward Paget evinced a degree of nerve, on the present occasion, to which few would aspire. Neither the distance, forty-eight hours from the Sand Heads, (the Indianmen

at Saugor, when the sickness was most rife, would have removed the troops in one trip,) nor the rate at which the army mouldered away, can be pleaded in bar of responsibility. Month after month, from May to September, nay, day after day, was the fate of the Arracan troops pressed into notice; yet so far from adopting any suggestion for the reduction of the force,* it is understood that the transfer, even of convalescents and sick, capable of being removed to the hospitals at Chittagong, was resisted by the Commander-in-Chief. Consistency must, however, be conceded, for the last act of Sir Edward Paget's power was to direct the embarkation for Arracan of regiments—not to relieve, for the dead ask no relief—but to supply the places of those corps destroyed in that pestilential climate. This step was taken in October, when the fair season *had not* set in; but after all reasonable expectation of carrying a force across the mountains into Ava was understood to have been relinquished.

What estimate the Commander-in-Chief originally made of the Burmese power and resources in Arracan it would be difficult to discover; but highly erroneous it must have been, if it be true that the instructions forwarded for General Morrison's guidance forbade the division of an army of 12,000 men: but the opposition experienced by General Morrison proved the force allotted to be very disproportionate to the task assigned; and that a well equipped body of 4000 men, embarked direct for the Arracan river, would have achieved the conquest of the province in one quarter of the time, and one-tenth the cost to the state. With regard to ulterior operations in Ava, there was a deplorable want of geographical and statistical information arising out of errors of system for which former Governments are responsible; and Sir Edward Paget is entitled to every benefit this admission can confer.

But if either originality or system can be extracted from Sir Edward Paget's details and conduct of the Burman war, it would seem to be a leading feature in every combination attempted, to deal largely in *personnel* and *materiel*, but to omit or grossly miscalculate the momentum by which life and activity is given to armies. Masses collected, without adequate equipment and carriage, or composed of arms inapplicable to the nature of the service and scene of operations, were paralysed by their own weight.

When his Majesty's 41th and 54th Foot were withdrawn,

* We have heard that an officer, high on the staff, advocated this measure with an earnestness warranted by his station; the advocacy was vain, no change of circumstances, no waste of life, could induce the vacant mind or indolent habit of the high personage addressed, to undergo the painful labour of reconsidering the question of the force required in Arracan. All this, too, from a person esteemed a kind-hearted man in private life. Such anomalies are not without example, and they teach us to pray for *clear heads*, rather than *kind hearts*, in the conduct of public affairs.

and the Honourable Company's 2d European Regiment ordered into Arracan, in strict accordance with the spirit that pervaded the Commander-in-Chief's regard for the character, rights, and feelings of Company's officers, a strong effort was made to leave the command in Arracan in the hands of an officer in his Majesty's service, after all the Royal troops were withdrawn; and that this attempt to prejudice the just claims and merits of Brigadier William Richards (the senior officer remaining in the province) failed, is, we believe, attributable to the Secretary to Government in the Military Department, and not to any modification of Sir Edward Paget's wishes or sentiments.*

That the Government did not interpose its authority to relieve the sufferings of the troops in Arracan was a mark of weakness only to be paralleled by the silence observed after the disclosures on the Barrackpore mutiny inquiry:—that it should fail to vindicate, in opposition to a Commander-in-Chief, the rights and claims

* The system of exclusion of Company's officers has ripened under the new Commander-in-Chief, Lord Combermere. Witness the Major-Generals, Brigadier-Generals, and Brigadiers before Bhurtpoor. Lieutenant-General Martindell's services, though *on the spot* to command a division, were insultingly set aside; and an extra King's Major-General (Nicolls) *borrowed from the Madras Presidency*. The same feeling forbade to wait the result of a cold call for Colonel J. W. Adams's services; and the staff of the army was completed before that veteran could recal his leave of absence on account of sickness. He hesitated not a moment in discarding all personal considerations, and before the army could move for Bhurtpoor, 'Adam Baba,' with his hoary locks and shattered frame, was at the head of a Brigade of Native Infantry, with which he served out the siege, adored by the Native soldiery, and esteemed by all ranks. Neither forty-six years of constant service in India, nor his hard-earned reputation could secure this gallant soldier the command of a division; but the officer who had commanded Armies-in-Chief, was reduced to the humble station of a Brigadier. We hear that Colonel Adams, on the fall of the Bhurtpoor power, repaired to Kumaon to recruit his exhausted frame; but, like Sir David Ochterlony, he must sigh over the fate of a Company's officer, and like that distinguished character, we fear may soon sink into the grave through bitterness of heart and a broken spirit. It is natural that Commanders-in-Chief from his Majesty's service should prefer officers of their own body, with whose merits they are, perhaps, acquainted; but the members of the Indian Government cannot plead ignorance of the character and merits of Company's officers; yet they can quietly acquiesce in such treatment of General Martindell and Colonel Adams. It is an undoubted truth, that Civil Servants who become Members of Council care only for Civil interests. Keen, indeed, is their perception of the great hardships which their brethren endure, if, as we have heard, it be a fact that a regulation has recently been passed, that all Civil appointments to the eastward (Assam, Arracan, &c.) shall confer *double salaries, because the hazard from climate is great, and expenses heavier than what is endured in Bengal, Buhar, &c.* Here is a fair comment on the Barrackpore mutiny!! so encouraging to the army in general, whose members are, of course, invulnerable to climate, and their purses too well stored to be embarrassed with pecuniary difficulties.

Not one civilian has yet, that we know, fallen a sacrifice to climate, though, at least, 6000 soldiers have fallen in Arracan, and 1000 in Assam, with a more than due proportion of European officers. In Pegu and Ava the army has equally suffered.

of Company's officers, will only be matter of wonder with those who are ignorant of the feelings and temper of those members, possessing local knowledge, who influence a majority in the Council. Lord Amherst could not fail to observe the inefficiency of his colleague, Sir Edward Paget; but, having once lodged power in such hands, delicacy and the prospect of speedy relief, by the departure of the Commander-in-Chief for Europe, might account for an absence of the decided measures that the circumstances required.

We now close our notice of Arracan, in which province no subsequent occurrences have arisen, during the war, to attract attention. At the conclusion of peace, in 1826, a corps, the Madras 18th Regiment of Native Infantry, with 50 pioneers, 36 elephants, and 100 bullocks, marched from Yandeboo on the 4th of March, by Shembeughewn, and from thence reached Aeny in twelve marches. This route to Arracan and Amherst Harbour (Ramree) was easy; but another and a smaller party that came into Arracan by the Taughoo Pass, represented that route as very rugged and difficult. The first party reached Ramree on the 29th of March, the second on the 6th of April 1826. It is clear from these experiments, that a force might have advanced into Ava from hence, and it is believed that Sir Archibald Campbell was early acquainted with this circumstance; but that a patriotic desire to finish the war in Ava single-handed, induced that officer to be sparing of his discoveries.

SONNET—TO SLAVERY.

O SLAVERY! "thou art a bitter draught!"
 And twice accursed is thy poison'd bowl,
 Which taints with leprosy the white man's soul,
 Not less than the black lips by which 'tis quaff'd.
 The Slave sinks down, o'ercome by cruel craft,
 Like beast of burthen on the earth to roll;
 The Master, though in luxury's lap he loll,
 Feels the foul venom, like a rankling shaft,
 Strike through his veins. As if a demon laugh'd,
 He, laughing, treads his victim in the dust—
 The victim of his avarice, rage, or lust!
 But the poor prisoner's moan the whirlwinds waft
 To Heaven, not unavenged: the oppressor quakes
 With secret dread,—and shares the hell he makes!

FUNDAMENTAL ERRORS AND PERNICIOUS CONSEQUENCES OF
THE LAWS OF QUARANTINE.

No one will probably have the temerity to deny that it is of extraordinary importance to mankind, that the questions of the validity of a doctrine which has been the foundation, in all the nations of Christendom, of the most extensive code of legislative, municipal, and international regulations that has ever existed, and of the operation of these laws upon life, health, and all the other higher interests of communities, should be definitively determined. And as the inquiry into this branch of the subject of epidemic and pestilential diseases, although the conclusions irrefragably established by it are still unaccountably refused to be acknowledged and applied, may be regarded as in fact perfected, we hold it to be incumbent on us to embrace the earliest opportunity of giving some account of these conclusions, and of the proceedings which have led to the demonstration of its non-existence generally in these maladies, and of the injurious effects of the Quarantine, or Sanitary Laws, as established by the labours and writings of Dr. Maclean.

In order to render our view of the subject the more complete, as well as to gratify a laudable curiosity, we shall prefix to our account of his transactions, for the last eleven years, a retrospect of this persevering investigator's anterior proceedings. The whole will exhibit a rare and singular specimen of the manner in which inquiry into the most important truths may be evaded or smothered, for a long course of years, by the *finesse* of public departments playing into each other's hands. For it will be found that, during the whole of the period specified, Dr. Maclean's almost incessant endeavours to procure for his facts and conclusions the justice of being submitted to proper and efficient tests, have been, by some latent influence, frustrated. At a subsequent part of this narrative, it may be a question for consideration, whether this influence has not consisted in that of a family faction in power, who, having once injured, can never forgive, and are not satisfied with a thirty year's persecution, or an habitual love of error and mischievous institutions, because they have long existed. But this influence will perish, and truth will prevail.

In 1790, early in his professional career, Dr. Maclean having occasion to remark, in the course of treating sporadic or isolated cases of yellow fever in the West Indies, that the disease was not propagated by contact, and being unable to comprehend how isolated cases could differ in their nature from groups of cases of the same malady, began, we are told, to entertain strong doubts of the correctness of the *dogmas* respecting *pestilential contagion*, which

he had been taught in the schools. Pursuing the same train of reasoning, his doubts were gradually extended to other epidemic diseases; and these doubts were soon converted into certainty: the events of the destructive fever of Philadelphia, in 1793, served to complete his conviction, that, *no general disease, which is capable of affecting the same person repeatedly, is ever propagated by contagion.* This general proposition he illustrated in 'A Dissertation on the Source of Epidemic and Pestilential Diseases, showing that they never arise from Contagion,' &c., which was published at Calcutta, in Bengal, in 1796, republished in Philadelphia in 1797, in Hamburgh in 1800, and at Leipsic and Cobourg in Saxony in 1805. The proofs adduced in this 'Dissertation' were principally founded on the following circumstances: 1. The absence of all proof of a contagious property in epidemic diseases. 2. The incompatibility of contagious properties with other causes to which they are distinctly to be traced: and 3. The absence of phenomena in epidemic diseases, which, if they depended upon a specific contagion, would necessarily be present. To which the author subsequently added, 4. The presence of phenomena in these diseases, which, if they possessed a contagious property, would necessarily be absent. 5. The marked opposition of the laws of epidemic diseases to those of diseases which confessedly depend upon a specific contagion. 6. The fraudulent political origin of the doctrine of pestilential contagion, and the system of Quarantine or Sanitary laws. 7. The destructive effects, in point of fact, of the operation of these laws, without reference to what may be the cause of epidemic maladies. 8. The innumerable, absurd, and contradictory consequences of every part of the doctrine, and the system founded upon it; and 9. Dr. Maclean's experiments at Constantinople, exhibiting direct proofs, as twenty to one, that the plague is not propagated by contact. In short, his demonstrations will be found to include every variety of proof, —positive, negative, analogical, circumstantial, and *ad absurdum.*

This 'Dissertation' produced a great sensation and extensive conviction in America. In the preface to his 'Medical Inquiries and Observations,' Dr. Rush of Philadelphia, who had been a strenuous advocate for pestilential contagion, and quarantine, thus magnanimously expresses himself: 'In the fourth volume, the reader will find a retraction of the author's former opinion of the yellow fever spreading by contagion. He begs forgiveness of the friends of science and humanity, if the publication of that opinion has had any influence in increasing the misery and mortality attendant upon that disease. Indeed *such is the pain he feels that he ever entertained or propagated it, that it will long, and perhaps always, deprive him of the pleasure he would otherwise have derived from a review of his attempts to fulfil the public duties of his situation.*'

Previous to 1800, such was the dread entertained of the

bugbear of pestilential contagion among us, that quarantine on ships with foul bills of health bound to England, was invariably performed at some of the lazarettoes in the Mediterranean. In that year, this practice having been found inconvenient to the trade of the Levant, and representations having been made against it by the English merchants at Smyrna, a Committee, or Board of Health, was appointed by the Privy Council, to examine and report upon the subject. That committee were the framers of the very absurd code of quarantine laws, which has since existed in this country, modelled almost implicitly after the sanitary codes of the continent of Europe. And as it is useful to society that the members of such committees should be laid under some responsibility, by being made amenable to public opinion, we here give their names:—G. Baker, L. Pepys, J. Gisborne, A. S. Hammond, Pat. Russell, Jas. Johnston, Gil. Blane, J. Robertson Barclay, Thos. Boone, E. Lee, and J. Green; the first nine, we believe, all physicians, and the two last Levant merchants. This committee---although Dr. Maclean's doctrines of non-contagion had been imported from America to England in 1798, from Hamburgh to England in 1800, were to be found in the circulating libraries of the metropolis whilst they were sitting, had been criticised in the Reviews, and had already made the tour of Asia, America, and Europe---did not think proper to institute a single inquiry into the existence of the evils against which they were framing legislative provisions, or even to advert to the circumstance of its being called in question, but took the whole of the doctrine of pestilential contagion, as it had been transmitted to them, implicitly for granted.

Early in 1805, probably under the influence of terror from the fever which had a few months before desolated Gibraltar, another Committee, or Board of Health, was appointed by the same authority, "to consider and report the measures, which it would be proper to adopt, in case the plague, or other infectious (contagious) disease *shall pass the barrier of the quarantine*, and actually appear amongst us." This committee did think fit just to advert to the non-contagion doctrines, but without taking or recommending any measures to ascertain their validity, against which they decided *in limine*, and without either discussion or inquiry. They presented two reports to the Privy Council, dated the 30th of April and the 15th of May 1805, consisting of an "outline of a plan to prevent the spreading of the plague, or *other contagious diseases*"; in the latter of which they say, "in considering a subject of this kind, it is obvious that we must not risk the lives of our fellow creatures, through a confidence in any *speculative* opinions, *which want the sanction of experience*." It is now evident that, had this committee taken due pains to investigate the opinions, which they were pleased to represent as *speculative*, they could not but have perceived that they were *conclusions logically deduced*

from undeniable premises; whilst those, the truth of which they have chosen to take for granted, as being founded upon what they call the *experience*, meaning the *practice* of ages, are but vague and baseless traditions—mere inventions of the most superstitious times. The following were the members that composed this committee:—A. S. Hammond, F. Milman, A. Muuro, Lucas Pepys, J. Hunter, H. R. Reynolds, W. Heberden, J. N. Harness, and Jas. Hervy; all nine, we believe, physicians, and at least six of them Fellows of the London College. Hammond and Pepys had been of the former committee.

In the meanwhile, Dr. Maclean made various efforts, but for a long time unsuccessfully, to procure facilities for submitting his theoretical conclusions, in respect to the plague, to the test of actual experiment in the Levant. With that view he proceeded, in 1800, as far as Vienna on his way to Florence, intending to pass over to the Levant whenever a favourable opportunity should occur. But this project was frustrated by the French entering Tuscany. It happening, at this period, that a destructive fever prevailed in Cadiz, he applied to the Spanish ambassador at Vienna for a passport to proceed to that city, offering to put himself under *surveillance* whilst he performed his experiments, there being then a state of war between England and Spain. But the ambassador would not grant a passport without first obtaining leave from his Court. In May 1801, he solicited from the British Government a special commission for investigating the plague in Egypt, a British army having then possession of that country; but was informed, in reply, that “the nature of the arrangements made for Egypt did not admit of any new medical appointments.”

Early in 1802, he presented a memorial to Mr. Chaptal, Minister of the interior of France, proposing (there being a general peace) “that an institution should be established at Constantinople, or some other part of the Levant, for the treatment and investigation of the plague; that the funds necessary for the support of this institution should be provided by means of voluntary subscriptions of Governments and of individuals; that it should be under the superintendence of all the foreign ambassadors at Constantinople for the time being, and of one of the members of the Ottoman Government; that the Sublime Porte should be solicited to allot a certain portion of land for the site of the necessary buildings, &c., and to confer on it certain privileges and immunities, such as could be accorded without offence to any of the laws or customs of the country,” &c. The memorial was referred by Mr. Chaptal to the School of Medicine, (*L'Ecole de Médecine de Paris*), who reported the plan proposed to be “of too extensive a nature to admit of being carried into operation.”

After repeated disappointments, and having almost abandoned the pursuit in despair, Dr. Maclean was, at length, by the gracious

recommendation of his late Royal Highness the Duke of Kent, to Lord Grenville, as Governor of the Levant Company, enabled to effect his purpose of practically investigating the plague. Provided with an introduction from Lord Castlereagh, then Secretary of State for Foreign Affairs, to Sir Robert Liston, our Ambassador, and from the Secretary of the Levant Company, to Mr. Morier, their Consul-General at Constantinople, he proceeded to that capital in May 1815, and soon after his arrival, got admission into the Pest Hospital without the walls of the city near the Seven Towers. The fruits of his experiments and observations, upon that occasion, were communicated to the public in 1817 and 1818, in a work in two volumes 8vo. entitled, '*Results of an Investigation respecting Epidemic and Pestilential Diseases, including Researches in the Levant concerning the Plague*;' and the doctrines there promulgated have, from that period, been a perpetual subject of controversy. Upon his departure from Constantinople, the following official despatch, reporting his proceedings, was addressed by Sir Robert (then Mr.) Liston, to Lord Castlereagh:

MY LORD,

Constantinople, October 12, 1815.

Dr. Charles Maclean, recommended to me in your Lordship's letter of the 29th April last, arrived here towards the end of July; at a time when the plague prevailed in a slight degree in this capital; and he showed an anxious desire to commence without delay the investigation of the nature of the disease, and the trial of the methods of cure which he conceived likely to prove successful.

The only means of obtaining an immediate opportunity to carry his design into effect, appeared to be that he should get admission into one of the Greek hospitals, with liberty to administer his medicines to the patients; and this idea, though liable to strong objections, he eagerly embraced.

On an application, through me, to the Turkish ministry, orders were immediately issued to the managers of the plague-hospital, established without the walls of the city, at a small distance from the Seven Towers, requiring them to permit Dr. Maclean to prescribe such treatment of the sick as he might judge proper; a house was assigned to him adjoining to the hospital; a table was ordered to be kept for him; he was furnished with a horse for the purpose of taking exercise; and the servants of the establishment were to be at his command.

He found in the house several patients; he visited them frequently; prepared their medicines himself, and administered them with apparent success. The attendants, at first, showed a willingness to aid him, and to render his situation comfortable.

But this did not last long: the servants seemed to have become tired of the unusual trouble of assiduously waiting upon the patients. They came, in the sequel, to disobey and neglect, if not insult, the Doctor. They prepared his food in a way that was disgusting to his palate: they even seemed purposely to withhold the articles for which he showed a taste.

After a few days, he found he had himself caught the infection in a serious degree, accompanied with buboes and a periodical delirium. He apprehended that, all circumstances considered, he could no longer remain in the hospital without danger of his life. He removed to private lodgings,

where he effected his cure by means of his own medicines, and he is now, after performing quarantine, restored to society.

Dr. Maclean has found the system of management of the hospital so bad, the prejudice of the attendants (who are taken from the very dregs of the people) so very strong, their principles and conduct so profligate, that he is now convinced no progress can be made in the cure of the disease in those public institutions, and he is determined to have no farther connection with any of them. He is willing, however, to recommence his investigation; and he is confident he can, by his method of cure, preserve a great number of lives, with the aid of a *well organized establishment*, by which he understands a building suitable to the object, with two assistant physicians, one surgeon, one apothecary, one or two interpreters, and a proportionate number of inferior agents, all at his disposal and command. These, he thinks, it would be necessary to procure from England; and, with that view, he proposes immediately to return to London, and to come back to this place in the spring.

There is reason to think, however, that the Ottoman Government will not consent to furnish the means of executing the Doctor's plan on the scale suggested, and they have a plausible motive for declining it. The distemper, which has prevailed during the late season, has been of a character so comparatively benign, that an unusually small number of patients are said to have been carried off by it, in the other hospitals, as well as in the one where the Doctor applied his remedies; so that, they say, a sufficient proof has not been given of the efficacy of his treatment, to justify the Porte in appropriating to the object proposed any considerable portion of the public funds.

The Doctor has addressed to me a detailed and very able statement of his proceedings, which will of course be communicated to his patrons at home. It contains a number of interesting particulars; and *the opportunities he has had of a narrow examination of the plague, both in the case of the patients of the hospital, and in his own person, have given him a knowledge of the disease, which may prove of essential benefit.*

In the meantime, there is cause to apprehend, that, in consequence of his journey out and home, and of his residence in this country, he will be personally a loser on the occasion, and it will remain with his Majesty's Government, and with the particular patrons of the undertaking, to determine whether the ardent zeal, the intrepid resolution, the total neglect of all personal considerations, which Dr. Maclean has displayed in the course of this business, ought not to procure him some suitable reward.

I have the honour to be, &c.

ROB. LISTON.

The Viscount Castlereagh, &c. &c. &c.

On the eve of his departure, he received the following note from Mr. D'Italinsky, the Russian Ambassador to the Porte:

MONSIEUR,

Buyukderé, 7-19 Octobre, 1815.

Vous trouverez ci-joint le manuscrit, dont vous avez eu la bonté de me permettre de prendre lecture. Je vous en remercie infiniment; tout y est extrêmement intéressant; et vos observations sur la nature de la maladie, et les moyens, tant pharmaceutiques que diététiques,* dont vous vous êtes servi contre elle, et qui mette en évidence que la peste n'est pas plus invincible que ne l'a été Bonaparté, malgré l'opinion ou bien du monde a été à cet

* The venerable D'Italinsky had been bred to medicine, and studied at Edinburgh. The manuscript to which he alludes in his letter was a copy of Dr. Maclean's Report to Sir Robert Liston, written whilst he was in quarantine, and convalescent from the plague.

égard. Quel service inappréciable vous avez ainsi rendu à l'humanité ! Curtius s'est dévoué pour le salut de ses concitoyens ; votre plus heureux devouement regard le genre humain. Pénétré de sentimens dû à votre noble heroïsme, j'ai l'honneur d'être, Monsieur, votre tres humble et tres obeissant serviteur,

(Signé)

A. D'ITALINSKY.

Upon his arrival in England, in January 1816, Dr. Maclean's first measures were to transmit detailed reports of the results of his experiments and researches to His Royal Highness the Duke of Kent, to Lord Grenville, and to Lord Castlereagh. To the last, he communicated, by desire, an abstract of a plan for diminishing the mortality of pestilential diseases in the British possessions in the Mediterranean, and for further investigating these maladies, by means of a permanent medical commission. It was dated February 10, 1816. In May, upwards of three months from the receipt of that communication, Lord Castlereagh informed Mr. Bosanquet, Deputy Governor of the Levant Company, that the consideration of Dr. Maclean's plan belonged to the Secretary of State for War and the Colonies; and that, as requiring an expenditure of public money, it ought also to be submitted to the Chancellor of the Exchequer. Accordingly, on the 17th and 22d of May 1816, the Doctor addressed Earl Bathurst and Mr. Vansittart on the subject. Three days afterwards, the following answer was received from Mr. Vansittart:

SIR,

Downing-street, 25th May 1816.

I have had the honour of receiving your letter of the 22d instant, transmitting home the copy of one which you have addressed to Lord Bathurst, respecting the adoption of a plan that has occurred to you for the treatment and investigation of the plague in the Ionian Islands, and parts adjacent; and I beg to acquaint you that I will take an opportunity of consulting with his Lordship upon the subject, and that *either his Lordship or myself will then communicate to you the opinion which may be entertained of the expediency of carrying your proposal into effect.*

I have the honour to remain, Sir, &c.

(Signed)

N. VANSITTART.

Nothing could be more polite, clear, or explicit, than this communication, nor any thing more intelligible than the engagement here spontaneously entered into by the Chancellor of the Exchequer. Yet Mr. Vansittart, notwithstanding repeated applications, afterwards maintained a profound silence. After waiting in vain for nearly nine months for the result of the consultation between Earl Bathurst and the Chancellor of the Exchequer, Dr. Maclean, on the 20th of February 1817, addressed a remonstrance to the Colonial Secretary, which brought the following answer:

SIR,

Colonial Office, 26th February 1817.

I have been directed by Earl Bathurst to acknowledge the receipt of your letter of the 20th instant, and to express his regret that he was unable to return an answer to your former communications, relative to the cure and prevention of the plague, *on account of your papers having been mislaid:*

and his Lordship has further desired, that I should, at the same time, acquaint you that all matters relative to the subject in question come more properly under the cognizance of the Lords of the Committee of Privy Council for Trade and Plantations, *to whom it is advisable your plans should be submitted.*

I am, Sir, your obedient humble servant,

HENRY GOULBURN.

Whether the papers were or were not mislaid, we have, in either case, evidence of the praiseworthy manner in which the business of this office was conducted. But Earl Bathurst's papers having been mislaid, need not have prevented Mr. Vansittart from replying, according to his own engagement, unless *his* papers were mislaid also. This letter concludes by informing the Doctor that it is advisable his plans should be communicated to the Board of Trade, although it is not very obvious upon what principle plans for the investigation and treatment of plague in the Ionian Islands can properly come under the cognizance of that department. The plain English of this, divested of the mystifications of official phraseology, is, "Go any where, rather than come to me; but I would advise you in preference to go to the Board of Trade, because, as consisting of many members, they can afford to do things upon which I would rather not venture with my undivided responsibility." It is also a curious phenomenon, that, whilst, in the case of persons preferring useful discoveries, public officers appear to think themselves quite justifiable in consulting their ease or their humour, their partialities or prejudices, in forming their decisions,—whilst an individual is successively referred by Lord Castlereagh to Earl Bathurst and Mr. Vansittart, by Earl Bathurst to the Board of Trade, by the Board of Trade to the Privy Council, by the Privy Council to the College of Physicians, and, finally, to a Committee of the House of Commons, by each of whom he is kept in a state of suspense, at least as long as the appearances of decency will permit, finally to be disappointed,—they should not once dream that his time and labour are of some value to him, but act as if they were of right wholly at *their* disposal.

In the mean time, Dr. Maclean published, in January 1817, a pamphlet under the title of 'Suggestions for the prevention and mitigation of epidemic and pestilential diseases,' &c. which was shortly afterwards republished in the 'Pamphleteer.' This announced the larger work, which he was preparing on the subject of his researches, and showed, that, even if the validity of the doctrine of contagion in the plague *of the Levant* were admitted, quarantine would still have no object, and ought, therefore, to be abolished, *in England.* As involving principles which regarded mankind at large, he proposed to Lord Castlereagh that his work should appear under the patronage of the British Government, in conjunction with those friendly powers who had representatives at our Court.

But the same invisible influence seemed to be put in motion at every stage of the proceeding, and his lordship remained imperturbable.

In March 1817, Dr. Maclean addressed the Board of Trade, in consequence of the advice of Earl Bathurst, offering, if reasonable facilities were allowed him, to give further practical demonstrations that the plague does not depend upon a specific contagion; that the disease admits of being cured, like other fevers of high intensity; and that quarantine and lazarettoes, &c. are worse than useless establishments. He transmitted to them twelve copies of his 'Suggestions.' &c.

Not receiving an answer, for upwards of five months, he, in August, again addressed their Lordships. His letter is as follows:—

To the Lords of the Committee of Privy Council for Trade, &c. &c. &c.

MY LORDS,

20th August, 1817.

It is now nineteen months since I first made communications to particular branches of the administration, and five months since I addressed your Lordships, offering to show, by the result of contact, under unequivocal circumstances, that plague does not depend upon contagion; and, by the effects of the application of remedies, that I have ascertained the means of cure. In the mean time, lives, commerce, and revenue, continue to be sacrificed, to prejudices of the grossest and most demonstrable nature. At this moment, Gibraltar, as is said, has interdicted communication with Africa: Spain has prohibited intercourse with Gibraltar; and that unhappy fortress, to the calamities of pestilence, is once more likely to add the miseries attendant upon a decay of commerce, and a deficient supply of provisions.

Permit me, then, to renew to your Lordships the offer of my services to repel this calamity. Assured of an efficient method of cure, as well as of the proper means of prevention, I am ready to pledge my life, if invested with adequate authority for the occasion, that the measures which I shall cause to be adopted will have the effect of checking the progress of the pestilence in the space of a fortnight, or of preventing its spreading in any material degree. I beg not to be misunderstood as aiming, by this proposition, at any private advantage. I regard it but of little importance, with respect to my great and ultimate object, whether your Lordships may be pleased to adopt, or to reject, this particular proposition. The truths, which my investigation of epidemic diseases embraces, will be established, and the errors which it refutes, will be dispelled, in due season, independently of adventitious aids. But, in the mean time, it is of essential importance to humanity, science, commerce, and many other public interests, which this extensive subject involves, that the inquiry should have the countenance and support of Government. It is, besides, I must take leave to say, intimately connected with their own honour. Nor is it to be imagined that the investigation can be successfully conducted by any medical man, whom chance may have placed in an official situation. It requires a previous full knowledge of the cure to make the smallest progress toward ascertaining the nature of maladies. My having already surmounted, and my readiness again to encounter the danger incidental to such an inquiry, might be deemed sufficient presumptive evidence that I possess this knowledge.

I submit it to your Lordships, what would be your reflections, and the state of your feelings, if you should hereafter find, that, from slighting, even for one season, the representations, which I have now the honour to make, you had been the means of sacrificing four or five thousand lives, in Gibraltar alone, besides ruining for years its commerce; or, of giving to other nations,

in perpetuity, the advantages to be derived from the application of my discoveries, since, if it should be your pleasure not to think them worthy of adoption in the British dominions, they will, I doubt not, find a reception in other quarters. In such case, your Lordships will, perhaps, at some future period, do me the justice to recollect, and to acknowledge, that my endeavours to obtain your sanction have not been wanting.

Notwithstanding the nature of the reception, which my efforts in this important inquiry have hitherto met with (and which, for the present, I forbear to characterise), I own I still continue to feel an extreme anxiety to attract some portion of your Lordships' attention, and to induce you, for the honour, as well as the advantage of our country, as I am well prepared to show, to assume the lead, in causing the results of an investigation, interesting in so many respects to all mankind, to be applied to practice on an extensive scale. I rely upon the justice, discernment, and patriotism of your Lordships, that the disadvantages, under which I have the misfortune to labour (for such on the present occasion particularly do I account it) of want of influence and connection in the state, will not be allowed to operate to the prejudice of one of the most noble causes of which the conduct has ever devolved to feeble hands. I even conjure your Lordships, in the name of humanity, should prejudices of a personal nature, excited perhaps by the re-action of my efforts in this very cause, have found their way to your minds, to dismiss them, in favour of the success of an undertaking so beneficial to mankind.

The first volume of my researches upon this subject, being now printed, although not yet issued to the public, your Lordships, if you should deem the investigation at all worthy of your notice, may have an opportunity of ascertaining, that my conclusions are not the fruit of vague hypothesis, idle speculation, or wild enthusiasm; but of decisive experiment, and laborious induction. Whatever may be the determination of your Lordships, having freely and candidly delivered my sentiments, I shall henceforth consider my conscience as acquitted:—"*Liberavi animam meam.*"

It being my intention to go into the country, for a short time, any reply with which you may be pleased to favour me, will be forwarded by my publishers, Messrs. Underwood, 32, Fleet-street; and I shall feel great pleasure in attending instantly to any commands from your Lordships. In conclusion, I take the liberty of observing, that, as the epidemic season is advancing, should my proposition respecting Gibraltar be thought worthy of being entertained, it would be desirable that no time should be lost in its adoption. Or, if that should be deemed inexpedient, you will perhaps condescend to inform me, if there be any other manner in which you are disposed to contribute to the completion of this useful undertaking.

I have the honour to be, &c.

CHARLES MACLEAN.

Answer of the Board of Trade to Dr. Maclean.

Office of Committee of Privy Council for Trade,
Whitehall, 30th Sept. 1817.

SIR,

I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 20th ult.; and to acquaint you that their Lordships regret exceedingly that you have thought proper to address them in a tone which has an obvious tendency to preclude any satisfactory intercourse between the departments of Government and individuals. In consideration, however, of the importance of the subject to which your communication refers, and anxious, from a variety of motives, to give it their best attention, the Lords of the Committee for Trade are willing to overlook the mode in which you have addressed them; and if, upon the fullest and most mature consideration, there should be sufficient ground to conclude that your system, in regard to the plague, is correct, their Lordships would be most willing to sanction any reasonable plan for acting upon it. But you will re-

collect, that although you stigmatize as perfectly absurd, the system so generally adopted in regard to the plague, it was (in this country at least) the result of a very long and laborious investigation, conducted by persons qualified by their talents, experience, and character, to undertake so important an inquiry. The plan then recommended received the sanction of the Legislature, and has been acted upon ever since the year 1805. That it exposes individuals and commerce to great inconveniences, the Lords of this Committee have many reasons to know and to feel; and there is no part of the duty which their Lordships are called upon to discharge that is more painful than that which relates to the enforcement of the quarantine regulations. But it is no light matter to overturn at once, upon the suggestion of an individual, however distinguished he may be, an entire system established so recently as the year 1805, and after so deliberate an inquiry. You are not the only person who has recently submitted plans on this subject to his Majesty's Government. But as all these plans, as well as your own, necessarily involved a considerable and indefinite expenditure of public money, the Lords of this Committee thought the period of the last two years particularly unfavourable for calling upon Parliament to sanction an expense, the utility of which could not be previously demonstrated, but must depend upon the actual experiment of the plan. These are the considerations which induced their Lordships to decline giving any immediate sanction to your proposition; nor can they consider them as altogether removed at the present moment. The Lords of this Committee, however, will feel in a much better situation for coming to an ultimate decision, after the publication of your work, which it is to be presumed will contain both the detailed reasons upon which your opinion is founded, and a full development of the whole plan upon which you would propose to act.

I am, Sir, your most obedient humble servant,

THOMAS LACK, Assistant Secretary.

To Thomas Lack, Esq., Assistant-Secretary to the Board of Trade.

SIR,

October 13, 1817.

IN reply to your letter of the 30th ult., which I received upon my arrival in London a few days ago, I beg you will be pleased to express to the Lords of the Committee of Privy Council for Trade, my regret that the tone in which an anxiety for the progress of an investigation which I know to be of extraordinary importance to mankind, and some impatience of delay, have led me to address them, should have appeared to their Lordships to have a tendency to preclude any satisfactory intercourse between the departments of Government and individuals; and to assure their Lordships of my respect.

I should have made but a bad use of my opportunities of observation, if I were not duly impressed with the difficulties which their Lordships must experience in deciding upon a question so momentous, so intricate, and so replete with responsibility, as that which involves the expediency of abolishing a system which had been adopted, as you very justly remark, "after a long and laborious investigation, conducted by persons most qualified by their talents, experience, and character to undertake so important an inquiry." To expect that their Lordships should, upon the mere suggestion of an individual, overturn a system, which had been thus established as recently as 1805, and had received the sanction of the Legislature, would be no less unreasonable than it would be inconsistent with all the principles upon which I have elsewhere so much insisted respecting the kind of evidence which alone is admissible in science.

But it is not to be presumed, that, whilst the other sciences have been progressive, medicine alone should be incapable of improvement. Accordingly, I profess to have raised the veil, which for so many ages has kept this department, as it respects epidemic diseases, in obscurity.

What I would offer to their Lordships are not suggestions or assertions, but proofs, I trust as perspicuous and convincing, although not in the same form, as demonstrations in the mathematical sciences, that it is impossible such a power as contagion should ever concur, either to produce or to aggravate epidemic diseases; both because phenomena now took place, which would not in that case happen; and because consequences would in that case follow which do not now take place. And it would have remained equally true, that epidemic diseases do never depend upon contagion, although the contrary opinion had been held by every individual who has existed from the days of Adam to the present time. It is, however, both satisfactory and eminently conducive to conviction upon this subject, that historical researches have enabled me distinctly to show the fraudulent origin, as well as the modern date of a doctrine which has occasioned so much mischief in the world.

For the details, I beg to refer their Lordships to the chapters of my work which treat of those heads respectively; and I have directed my publisher to transmit a sufficient number of copies for the use of their Lordships.

Far be from me the presumption, either to arrogate to myself any credit farther than may be thought due to perseverance, for having at length succeeded in elucidating this interesting subject, in a manner, as I conceive, irrefragable; or to insinuate blame against governments, or individuals, who have unconsciously suffered themselves to be drawn along in the vortex of a triumphant delusion. But I cannot help thinking that some considerable portion, both of censure and of ridicule, does attach to the medical faculty of this Protestant country, who could not have been deterred from investigation, by deference for Papal decrees, and must, therefore, from supineness, have taken important decisions for granted, into the truth of which it was their duty to have previously inquired. If this be true of Dr. Mead, and his contemporaries, how much more censurable is the conduct of the medical part of the Committee of 1835, who, many years after the first outlines of my refutation of the doctrine of contagion had been published in three quarters of the globe (it had even penetrated to so obscure a corner as Cobourg, in Saxony, where, as I learn from foreign catalogues of medical books, my dissertation was, that very year, translated into German), contrived to mislead their Lordships by the usual sophistry employed upon such occasions, into the prolongation of an injurious system. And, if medical men should, either from party spirit, wounded self-love, or childish notions of consistency, still persist, on a subject of perhaps unparalleled importance, in refusing to admit the force of demonstrations which they cannot refute, I submit, with great deference, to their Lordships, whether such conduct, instead of being only simply censurable, would not deserve to be considered criminal in the highest degree?

In the volume now forwarded, their Lordships will find the doctrine of contagion so clearly refuted, that, in a view of science, nothing farther, I conceive, remains to be done. The demonstration, I maintain, is complete, and irresistible. And if, upon such grounds, their Lordships should think fit to act, the Legislature would, of course, upon similar conviction, sanction the immediate abolition of the expensive and pernicious establishments which have emanated from this now detected delusion. Amongst the inhabitants of this country, the prejudices in favour of contagion do not appear to be so deeply rooted, as to render it probable that any serious obstacles to that abolition would arise, on the side of public opinion. Foreign Protestant governments would immediately follow the example: and even those of the Catholic persuasion would speedily find it their interest to do the same.

Their Lordships will do me the justice to believe, that, in scientific disquisitions of importance, it would be contrary to my views of propriety, either to give, or to require confidence. Accordingly, I would solicit the strictest investigation of all my facts, arguments, and inferences. Far from deprecating the utmost rigour of scrutiny, I should be happy that the whole

of the subject were referred to a committee of the most zealous believers in contagion, *with directions to report fully upon the different heads of my doctrine, provided I have the opportunity of commenting, in my turn, upon their report.* In proportion as the subject is discussed, I am assured, that the importance of the inquiry will only become the more manifest, and the absurdity of the prevailing opinions the more palpable.

In order to appease responsibility, to re-assure the most timid, and to satisfy the most scrupulous, there remains but one formality more, which occurs to my mind. It consists in showing, by direct experiment, under unequivocal circumstances, that plague, or other epidemic diseases, are never, even in appearance, propagated by contagion. This experiment might be conducted, as I proposed at former periods, on ship-board. The expense of maintaining a vessel of 200 tons, with a crew in proportion, which is all that I should require to complete this inquiry to universal conviction, cannot be deemed but trifling, when compared with the object in view. And even this trifling expense, as the experiment must soon either succeed or fail, cannot be of long duration. The effect of success would be an immediate saving of at least between 100,000*l.* and 200,000*l.* annually, to this nation alone; besides other numerous and important advantages. The effect even of failure, which, however, I regard as impossible, would be to set this question at rest for ever, and to ascertain the precise nature and extent of the danger. With respect to the minutiae of my plan, I hold it premature, until their Lordships shall have adopted the principle, to enter into details.

I rejoice to learn that I am not the only person who has recently submitted plans to Government upon this subject, because it affords an unequivocal proof, that, in defiance of the most formidable obstacles, my individual and unaided efforts of twenty years, have, at length, been crowned with the most gratifying success, in rendering the necessity of investigation palpable to the meanest capacity, and the nature of epidemic diseases even a topic of fashionable inquiry.

Nothing can be more easy than to form plans for *re-discovering*, what has been already *proved*. In battle, where the victory is decided, men are always to be found, who, in the assurance of safety, and the expectation of plunder, will be ready to join in the pursuit of a flying enemy. But, whilst any thing essential remains to be performed, these are not the soldiers that a skilful leader will employ. The evolution, which is destined to close this warfare of science against the papal doctrine of contagion, although scarcely of this description, is such, however, as ought not to be entrusted to untried hands. And, in order, as far as it depends upon me, to prevent even this remaining formality from suffering, by being allowed to devolve to incapable persons, I deem it my duty to state the following circumstances, for the information of their Lordships:

1. That an intimate knowledge of the *cure*, even more than of the *cause* of epidemic diseases, is indispensable, not simply to successful investigation, but to the personal safety of those concerned in the pursuit.
2. That the erroneous cause assigned to these diseases, and ignorance of the means of cure, have hitherto concurred to preclude the attainment of any adequate knowledge respecting them.
3. That persons placed at the head of medical departments, where epidemic diseases have prevailed, have, in common with others, been necessarily in this predicament, whilst they have represented themselves, and been regarded by the world, as authorities, neither they nor the world knowing more of what was passing in the interior of pest-houses than in that of the Harem of the Grand Signior.
4. That it does so happen (and I would be understood to disclaim the silly vanity of assuming any particular merit on account of the accident), that I am the only person living, who has been placed in a situation to give unequivocal

vocal proofs of a knowledge, both of the cause, and of the cure, of plague; all the others, who have undertaken similar investigations, having unfortunately perished in the attempt.

5. That the only persons of this description, known to the world, Drs. Whyte, Valli, and Mr. Von Rosenfeldt (and if there had been others, it is not probable that they would have remained unknown), in attempting, in 1800, 1803, and 1816, to act upon the doctrine of non-contagion, which I had promulgated in 1796, without possessing, at the same time, a due knowledge of the means of cure, not only lost their lives, but contributed, by their failure, to prolong the pre-existing delusion.

Having now stated every thing which occurs to me as necessary, in addition to the contents of my publication, to enable the Lords of the Committee of Privy Council for Trade, to form a judgment respecting the nature and value of my researches, as well as the expediency of adopting my propositions, for applying the inferences deduced from them to practical use; I conclude with expressing my hope, that, if I have been any where deficient in etiquette; their Lordships will attribute it, not to want of respect, but to ignorance of forms; and that they will honour me with a knowledge of their decision as early as may be convenient.

I am, Sir, your most obedient humble servant,

CHARLES MACLEAN.*

We shall resume the continuation of this subject in our next.

SONNET.—FRANSCHHOEK, SOUTH AFRICA.*

To this far nook the Christian exiles fled,
 Each fettering tie of earthly texture breaking,—
 Wealth, country, kindred, language, laws, forsaking,
 For that good cause in which their fathers bled:
 By Faith supported and by Freedom led,
 A fruitful field amidst the desert making.
 They dwelt secure, when kings and priests were quaking,
 And taught the waste to yield them wine and bread.
 —And is their worth forgot? their spirit gone?
 Now, 'midst the breach of wickedness forthbreaking,
 At the lone watchman's warning call awaking,
 To lift the faithful standard is there none?
 Yes—still 'mong the dry bones there is a shaking.
 And a faint glimmering still where former lustre shone.

1824.

17

* The French refugees, who emigrated to the Cape of Good Hope on the revocation of the Edict of Nantz, were settled by the Dutch Government in the secluded valley of Franschehoek, (or French Corner), so named from that circumstance. Here those meritorious men first introduced the cultivation of the grape, and other useful arts, in the colony, which greatly tended to its improvement. Their posterity are still the principal wine growers, and, generally speaking, the most industrious and pious of the African colonists.

ABUSES REQUIRING REFORM AT MADRAS.

To the Editor of the Oriental Herald.

SIR,

Madras, July 30, 1836.

I AM making very bold in bringing myself to your notice, but as I see Natives of Bengal do so, I trust you will not think me too bold in doing so. I do not wish to wound the character of any individual or hurt the feelings of any living creature, as I merely write to bring to your notice any thing very extraordinary that may happen here, and to mention little matters that are not likely otherwise to come to your notice.

My worthy employer, who is a Public Government Servant, and at the head of his department, is always getting your monthly book, in the pretty pale-pink covering, and frequently when master goes to the Board meeting, or goes into the Tiffin room, leaving your book on his desk, I used to take a peep into it, and always found much edification and amusement from it; besides, we are always hearing master and the subordinate officers of our department keep up great talk about your book, and say it is very clever indeed, and will do much good; and the other morning, when Captain P—, whom some officers call Captain Fifty Pounds, came to speak with master, all the gentlemen began to laugh and joke with him, on account of what you say of his reward. Now the Major, our Deputy, who is a very excellent talking gentleman, said, "Well, well, I hope the Editor will go on exposing every thing; but Lord preserve the Commissariat Department, if it ever comes under his scrutiny, for I have seen a paper on the subject of the officers of the Commissariat supplying the army with horse gram, that will astonish many when it comes to light; it is drawn up by two able field officers of cavalry, and is about being transmitted to Mr. Hume for the entertainment of the Court of Proprietors. From this document it appears, that while an officer who keeps three or four horses buys his supplies of gram from the common bazars, at the rate of from twenty-four to twenty-six measures for a rupee, the lads of the Commissariat Department, who supply the horses of the army, amounting to about 10,000, never give the Company more than fifteen or sixteen measures for each rupee, thus making a clear profit of ten measures on each rupee." Then another gentleman of our office said, "Yes, yes, I ascertained last season, while we were in Mysore with our worthy chief, that the Commissariat Servants had got a contract through master's favour to supply the troops there, amounting to about 2000, with gram, at the rate of ninety pagodas per garce of 315 rupees, while there was abundance selling in the common bazars from 175 to 200 rupees."

But I am digressing from my subject:—hearing so much said by our superiors in favour of your book, several other Native gentlemen and myself agreed among ourselves that we will get it from its commencement and take it in regularly hereafter, so we applied to a man here who keeps a book bazar, and is noted for his extravagant charges; he informed us he will supply us regularly, and we must pay seven rupees for each number; we are all considering this very high, so we find out another way, and get the work from your own agents, for four and a half rupees for each number; at first, we only got one number among us, now every one gets a number for himself; we all read your stories and accounts and histories with much interest, and like them much better than the ‘Arabian Nights,’ or any other Eastern tales, because you tell us a great deal we know to be true, and much that we see passing before our eyes. You mentioned the old ladies being sent to Rangoon to make pancakes for the warriors there, and of the great sagacity displayed at this presidency by cutting down the prickly pear hedges, together with many hints about the grand expedition against Burmah, and many more things I will not name; however I beg to assure you that all the respectable and intelligent part of the Native community here are inspired with gratitude and esteem towards you, for bringing forward in so luminous a manner as you frequently do, the real state of this country. Your letters on the Government and administration of justice in the interior of Bengal, have given us all very great satisfaction; but you seem to have no correspondent that is willing to touch on the affairs of this Presidency; however, while the Government here remains in the hands of Sir Thomas Munro, there is no need of its being brought before the public; he is too intimately acquainted with the localities of the country to allow either chicanery, or duplicity of any description to exist: long may he be permitted to sway the affairs of this Presidency! never were they before so flourishing, nor was any former Governor ever so universally admired, esteemed, and respected by all ranks, European and Native, as the present venerable statesman and soldier who conducts the affairs of Fort St. George. The splendid character given him by Mr. Canning in the House of Commons speaks not half his merits; I am no menial writing for his favour, being perfectly unknown to him, nor did I ever come in contact with his Excellency but once, and that was when my hackery came in the way of his carriage and interrupted its progress, for which ‘crime,’ I, with my vehicle, was transported to the police office, and there fined in fifteen rupees, although I had slipped five rupees into the hands of the half-caste manager there, who promised to get me off by telling the Superintendent he knew me to be so very deaf, that I could not have heard the noise from the approach of the Governor’s carriage.

There is one subject I am extremely desirous of bringing to your notice, and it is one on which you have not as yet ever touched,

but from which the Natives here suffer dreadfully, on account of the extortions practised therein: this is the Supreme Court of Justice, as it is termed; but in the opinion of all Natives, it is the very reverse. I am not competent to give you even a faint outline of the extreme sufferings undergone by my countrymen who carry their litigations before this tribunal; the proneness of most of us to litigious proceedings, is well known to you; the rapid fortunes acquired by professional men of law who venture here, loudly tell it.

There has, of late years, been so extraordinary an accession to the numerical strength of gaolers, gaolers' deputies, tipstiffs, criers, court-openers, interpreters to the Court, judges' clerks, attorneys, solicitors, proctors, notaries, prothonotaries, examiners, sealers, registers, masters, advocates, and barristers to the establishment of the said Court, that it appears a question of doubt, at least amongst us Natives, whether the Supreme Court of Judicature will not shortly eclipse the Honourable the Governor and Council; and it is far beyond my feeble power to detail to you the innumerable, multifarious, and intricate schemes adopted by the lawyers, quill-drivers, and other members of this community, through their law-brokers, law-dubashes, case-finders, straw-bail men, copper, silver, and gold-bribed witnesses, (for at all prices are witnesses to be had here,) to induce wealthy Natives to enter into law-suits. We hear of a court in England named the Chancery Court, where we are told an experienced lawyer presides with the title of Lord Chancellor; we understand he is the conductor of the fickle goddess; the constitution of this court we are always at a great loss to understand, but we suppose it to be something like the Supreme Court here, as it is all blind chance there; may I beg, that for the edification of my countrymen, you will, in some early number of your valuable work, favour the world with a full explanation of this Chancery Court?

We can here boast of a learned and upright bench, but it is the subordinate staff who are so dreadfully avaricious and fond of money-getting, that they leave not a feather on any unfortunate fool of a client that falls into their clutches; many respectable Native families have been ruined, and brought from affluence and independence to the most abject penury, from entering into law-suits, and intrusting their affairs to these minions of our Supreme Court, as there really is no possibility of a Native party getting once out of court after entering it, while they have one rupee remaining to fee the attorney; and it often happens when a client has sold all he has in the world, and borrowed from every quarter where he has credit, to moisten his lawyer's fists, who keeps telling him the cause will soon be decided in his favour: after all this, when there is not another rupee forthcoming, the attorney abandons his client, finding he can get nothing more from him, and allows a

decree or decision to be given against him, and should the client happen to be in the attorney's debt, the latter instantly sues him for recovery of costs, obtains an attachment against him, and walks him into gaol; so very frequent is this the case, that in the month of July last, out of twenty-two prisoners confined in the debtors' gaol, fourteen of them were there on writs obtained against them by attorneys for bills of costs.

I might adduce many instances to show you the truth of my foregoing remarks, one or two must do for the present. A Native of this place, a very respectable Bramin, sued another Native but a very short time ago in the Supreme Court, for the recovery of 2400 rupees; having obtained a writ of *capias*, he arrested and confined his debtor; the debtor put in bail to satisfy the Court, and was released from gaol; the cause was set down for trial by *ex parte* in the next term. On the day of trial the judges heard the brief and gave verdict in favour of the plaintiff, referring to the master to try the evidence; the master examined the witnesses, by whom 2000 rupees was proved, the 400 rejected for want of proof; final decree was given in favour of the plaintiff, but neither the defendant nor his bail was to be found. The plaintiff's attorney now called upon him for payment of his bill of costs, amounting to 2870 rupees, of which there was then paid him 700 rupees, leaving 2170 due, for which he gave him two promissory notes, one payable in three, the other in six months; and having, in the meantime, found one of his debtor's bail, he had him arrested and confined in prison, where he had only remained five days when he declared himself insolvent and obtained his release. The plaintiff's notes to his attorney now became due, but he was unable to pay them; the attorney raised an action against him on the plea side, and obtained an attachment against him. To avoid being arrested, the poor client shut himself up in his house for one year, thereby losing an excellent situation he had held for many years in a house of agency here; and thus, by going to law to recover a just debt, he is for ever ruined. Another Native of Madras, who had long lived respectably here, died a few years ago, leaving in cash 95,000 rupees, besides much other valuable property, jewels, &c.; his heirs disputed about the division of it, and went to Court, three several parties, each employing his own attorney. The judges ordered the 95,000 rupees to be deposited in Court, which was accordingly done, and some examinations took place in the Master's Office; two years passed, and no decision was given, when the parties mutually arranged the business themselves, and jointly presented a memorial to the Court, praying that the money might be returned them, as they had now adjusted their differences. On this, forward came the attorneys, with their bills of costs, amounting in all to 120,000 rupees; the clients remonstrated, but to no purpose; they petitioned, they prayed, they solicited all to no end; 25,000 rupees more must be squeezed out of them, or into the gaol they go.

These two cases will give some idea of the very great impositions practised in this Court, indeed it has become a subject of common discourse throughout the settlement, so much so, that it is said the grand jury at next Sessions are determined to bring it before the judges, and try if some stop cannot be put to such glaring iniquity. As you are always ready to defend the injured, and to expose oppression, I trust you will lay some statement of them before the world, and I will very soon give you some further intelligence from this that will, I hope, be acceptable.

A. C.

CAPTAIN WHITE'S HISTORY OF THE BURMESE WAR.

A small octavo volume, of 170 pages, has appeared during the past month, under the title of 'A Political History of the Extraordinary Events which led to the Burmese War, illustrated with a Map of the British Frontier, and dedicated to His Most Excellent Majesty, George the Fourth, by Captain W. White.' This writer was once an Officer in the East India Company's Army, and attached to the 2nd battalion of the 15th regiment of Bengal Native Infantry, with which he served in the Company's provinces bordering on Arracan, so that he speaks of many of the events described in his book from actual personal knowledge. The Indian reader will perhaps remember, that the same Captain White, after his dismissal from the Indian army, became the editor of a weekly paper in London, entitled 'The British and Indian Observer,' which, during the short period of its existence, was chiefly remarkable for the scurrilous attacks on private character with which it abounded, and the gross adulation of the Board of Control and Ministers generally, whose policy it eulogized as every thing that was perfect in government. As a specimen of his acuteness and foresight as a prophet, we may mention that at pp. 127-128 of his book, he reprints a long extract from the said 'British and Indian Observer' of May 9, 1824; the burthen of which is to show that Lord Amherst was infinitely superior to Lord Hastings; and that while the character of the latter would be more and more disesteemed the better it was known, that of the former would improve on acquaintance, that says Captain White, 'we are confident it will not be long before he will become a *general favourite*.' This was written nearly three years ago; and is now most unaccountably reprinted, as if to show how far it is still from being fulfilled; for, as to the *fact*, of whether Lord Amherst is really a *general favourite* or not, we apprehend there can be no doubt that the period of his being so has not yet at least arrived.

There is such a mixture of good and evil in the work ; brief as it is, that it would be difficult to affix to it any general epithet, or assign to it any general character which would not be likely to mislead. The main object of the whole is to prove that the injustice and neglect of preceding Governors-General, including Lord Minto and Lord Hastings, progressively paved the way for the attack of the Burmese on our territories ; and that to their successive administrations, alone, ought to be attributed the necessity of the war ; and also that Lord Amherst, on his arrival in India, found matters in such a state that he could not possibly avoid hostilities ; and, finally, that his measures were the best calculated to insure the end in view, by a reduction of the country to submission.

The materials from which the work is formed are,—1st. The official correspondence between the English and Burmese authorities, for some years previous to the actual commencement of hostilities as laid before Parliament: 2d. The geographical abstracts respecting Assam and Arracan, given in the 'Modern Traveller': 3d. Extracts from the 'British and Indian Observer' Newspaper, during its brief existence under Captain White's management. And, lastly, the correspondence which passed between the author, while an ensign in the Company's army, and the military authorities of the day, as well as personal observations made during a period of active service on the frontiers, which afterwards became the seat of war.

In moderately skilful hands, these materials would have furnished a far more interesting book than has been compiled from them by the author of the present volume. Yet, such is the interest of the subject (to those, at least, for whom anything belonging to the eastern world possesses an interest) that, in spite of a most heavy style, confused arrangement, and perpetual errors, both of construction and orthography, it exposes facts which well repay the labour of perusal. If the work had come into our possession at an earlier period of the month we should have given an analytical review of its contents ; but, for the present, we must restrict our notice to merely calling the attention of Indian readers to its general character ; and shall endeavour, if not pressed by other and weightier matters, to go more into detail in our next.

THE OLDEN TIME.

No. II.

'A CRUISING VOYAGE round the World: first to the South Sea, thence to the East Indies, and homewards by the Cape of Good Hope. Begun in 1708, and finished in 1711. By Captain Woodes Rogers, Commander-in-Chief in this expedition, with the ships *Duke and Dutchess*, of Bristol. The second edition, corrected. London: printed for Bernard Lintot, at the Cross Keys, between the Temple Gates, Fleet-street; and Edward Symon, against the Royal Exchange, in Cornhill, MDCCXXVI.'

Before I confine myself to the object with which I have transcribed this title-page, I will notice 'An Introduction concerning the South Sea Trade,' prefixed to the publication by Captain Rogers, at once the commander and ("though not fond to appear in print,") the historian of the 'Cruising Voyage.'

This 'Introduction' must, of course, be occupied with the subjects which deeply interested our forefathers at the period of this voyage, when they could not meet at a neighbourly evening club without talking, over their nipperkins,

"Of Anjou and the Spanish crown,
And leagues to pull usurpers down."

The Captain relates, how, at the time of "the second grand alliance, in 1701, it was wisely stipulated by King William, that for the enlargement of navigation and commerce, it should be lawful for us and the Dutch to seize by force what lands and cities we could of the Spanish dominions in America, and to possess them as our own." The Captain regrets that this "article of the second grand alliance has not been more improved," and he thinks it "evident enough," as to forming "a national settlement in the South Sea," that we are concerned to do it "for the preservation of our liberty and religion." What must be the liberty which would depend on such a preservative, and what the religion which could authorise English or Dutch to "seize by force lands and cities"; either expatriating the inhabitants, or subjecting them to governors of a strange speech, in the imposing character of conquerors! This, surely, was not the religion of him who lived and died to promote "peace on earth, and good-will amongst men;" though Christians have, sometimes, unadvisedly to triumph in the thought (I allude to a sermon of the eloquent Dr. Blair) that "the cross" of their master should "be assumed as the distinction of the proudest monarchs, and wave in the banners of victorious armies." Here it is scarcely possible to forget the Christian conquerors of Peru and

Mexico." Cortes, according to *De Solis*, not only bore, on his "standard, the ensign of the cross," but set up "a great cross to celebrate Easter; for religion was always his principal care, and in that he was equally zealous with the priests." When Pizarro invaded Peru, he put forward "Father Vincent, a friar, the first person who addressed himself to the Inca. He advanced," says *Burke*, "with a cross in his hand, and began a discourse upon the birth and miracles of Christ." But I must return from contemplating the religious zeal of these first-rate Christian conquerors, to the humbler predatory exploits of 'a Cruising Voyage,' undertaken at the charge of the Christian merchants of Bristol, who, indeed, at this day, maintain their character, by sending to Parliament one of the most zealous advocates of Negro slavery.

It is, indeed, hardly fair to expect a correct definition of liberty or religion from the captain of a privateer, a licensed sea-robber, any more than from his owners, the Bristol merchants, who could employ their wealth in fitting out ships for such a marauding expedition. The Captain indeed keeps up his compound character of Christian and caunoneer, when just about to fight for his expected plunder; for he says, on the discovery of a strange sail, that when an officer "returned with the joyful news, that it was the ship we had so impatiently waited for," (a galleon, with silver from Acapulco,) "I ordered a large kettle of chocolate to be made for our ship's company, having no spirituons liquors to give them; then we went to prayers." Thus, in 1596, after Queen Elizabeth had instructed her naval commanders, "that when they had destroyed as much as they could of the enemy's shipping and provision, they should send out some men of war to intercept the Indian caracks, if they had any intelligence of their coming." *Camden* adds, ('Hist.' 518.) "These instructions being given them, she appointed a form of prayer to be used daily, in every ship, to crave God's assistance and blessing upon their enterprises and undertakings." With what a religious royal executive has England been favoured before and since her bishops contrived for Charles II. that appropriate description, still repeated in the Liturgy, "our most religious King"! This subject was not ill understood, more than a century ago, by a writer on 'Royal Religion,' whom I shall presently mention on a very different account.

'Princes,' says Defoe, 'perform the duties of religion, as a matter of state, and common court ceremony appoints the chaplains in ordinary, to attend at their season. The hours of prayer are regulated, as the hours of play, and the clerk of the closet has his work also. There are handsome general ways of treating God Almighty civilly, and the Prince vouchsafes to be present as often as he pleases; and we are very willing to cry up the devotion and piety of those that do so.'

I must, however, abandon the subject of 'Royal Religion,' without any further: "inquiry after the piety of princes," which a satirist

once compared to Lord Rochester's poem upon 'Nothing.' I shall leave also our Captain to his oddly consorted duties of prayer and plunder, after I have executed the purpose for which I opened his volume, by quoting the first published narrative of an extraordinary solitary. His story has been supposed, with great probability, to have fallen under the observation of a mighty master of popular attraction, and thus to have given occasion to the most well-read romance in the English language, 'Robinson Crusoe.'

January 31, 1709, Captain Rogers, "made the Island of Juan Fernandez," a spot rendered memorable, thirty years later, by the voyage of Anson. The next day, they "saw a light ashore;" which, of course, not a little interested them. This appearance was soon explained by the person "who made the fire," for February 2d, the "pinnace returned from the shore," and brought abundance of craw-fish, with a man clothed in goat skins, who looked wilder than the first owners of them. He had been on the island four years and four months. His name was Alexander Selkirk, a Scotchman, born at Largo, in the county of Fife, and bred a sailor from his youth. He had been "master of the *Cinque-Portes*," by which he was left, in consequence of a disagreement with his Captain, at the end of September 1701, "the height of spring" in that region. The ship, also, had become leaky, and it was "cast away not long after, and few of the company escaped."

The following account, you will, I trust, readily accept, as selected from a volume which cannot now be generally interesting. Indeed, among the facts worthy of being recorded, those appear to deserve no inconsiderable notice which illustrate the human condition through the varying stages from rudeness to refinement, and discover the resources of man, amidst severe privations, and in seasons of perilous emergency.

'He had with him his clothes and bedding, with a firelock, some powder, bullets, and tobacco, a hatchet, a knife, a kettle, a bible, some practical pieces, and his mathematical instruments and books. For the first eight months he had much ado to bear up against melancholy and the terror of being left alone in such a desolate place. He built two huts with pimento trees, covered them with long grass, and lined them with the skins of goats, which he killed with his gun, as he wanted. He got fire by rubbing two sticks of pimento-wood together upon his knee. In the lesser hut, at some distance from the other, he dressed his victuals, and in the larger he slept. At first he never ate anything till hunger constrained him, partly for grief, and partly for want of bread and salt; nor did he go to bed till he could watch no longer. The pimento-wood, which burnt very clear, served him both for firing and candle and refreshed him with its fragrant smell.

'As to sustenance, he had enough of good cabbage from the cabbage-trees, and seasoned his meat with the fruit of the pimento-trees, but he could use no fish, amidst an abundant supply, except craw-fish, for want of salt. Of his goats' flesh he made very good broth. He kept an account of 500 that he

killed while there, and caught as many more which he marked on the ear and let go. When his powder failed, he took them by speed of foot; for his way of living and continual exercise of walking and running cleared him of all gross humours, so that he ran with wonderful swiftness through the woods and up the rocks and hills. This Captain Rogers witnessed when he distanced and tired both dogs and men, in catching goats for the ship's company.

‘He soon wore out all his shoes and clothes by running through the woods, and at last, being forced to shift without them, his feet became so hard that he ran everywhere without annoyance. When his clothes wore out, he made himself a coat and cap of goat-skins, which he stitched together with little thongs of the same, that he cut with his knife. He had no other needle but a nail; and when his knife was worn to the back, he made others, as well as he could, of some iron hoops which were left ashore, which he beat thin, and ground upon stones. Having some linen cloth by him, he sewed himself shirts with a nail, and stitched them with the worsted of his old stockings, which he pulled out on purpose. He had his last shirt on when rescued by the arrival of Captain Rogers.

‘After he had conquered his melancholy, he diverted himself sometimes by cutting his name on the trees, and the time of his being left, and continuance there. He was at first much pestered with cats and rats, that had bred in great numbers from some of each species which had got ashore from ships that put in there to wood and water. The rats gnawed his feet and clothes while asleep, which obliged him to cherish the cats with goat's-flesh; by which many of them became so tame that they would lie about him, and soon delivered him from the rats. He likewise tamed some kids, and to divert himself, would now and then sing and dance with them and his cats. On the commencement of his dreary solitude, Selkirk appears to have indulged the expectation that some English or French ship would soon rescue him. The Spaniards, from whom he once very narrowly escaped, were objects of his terror; because he apprehended they would murder him, or make a slave of him in the mines. He was about thirty years old when taken off the island by the Captain, who says: “At his first coming on board us, he had so much forgot his language, for want of use, that we could scarce understand him, for he seemed to speak his words by halves.”

The following judicious “Reflections,” modestly described as “more proper for a philosopher and divine, than a mariner,” concludes the account of Alexander Selkirk:

‘We may perceive by this story the truth of the maxim, that “Necessity is the mother of invention,” since he found means to supply his wants, in a very natural manner, so as to maintain his life, though not so conveniently, yet as effectually as we are able to do, with the help of all our arts and society. It may likewise instruct us, how much a plain and temperate way of living conduces to the health of the body and the vigour of the mind, both which we are apt to destroy by excess and plenty, of strong liquor especially, and the variety, as well as the nature, of our meat and drink: for this man, when he came to our ordinary method of diet and life, though he was sober enough, lost much of his strength and agility.’

Such is the account of this solitary, to which Captain Rogers gives full credit, both from his own observation, and from Mr. Sel-

kirk's behaviour afterwards, when he became mate of the ship. In Anson's voyage, it is mentioned, that among the goats killed at Juan Fernandes, for the ship's company, were found one or two apparently very aged, whose ears were marked, as if formerly in the power of Selkirk. Dr. Beattie, also, conversed with a gentleman who had sailed with Anson, and who supposed he had seen the remains of one of Selkirk's huts; "a house of stones, rudely put together, and so very small, that one person could with difficulty crawl in and stretch himself at length."

Your readers, I am persuaded, will have scarcely seen the name of Alexander Selkirk, without recollecting the verses of Cowper, which have preserved his remembrance, and especially the two first stanzas. These, I am tempted to quote, as portraying, with the skill of a master, a hopeless condition of dreary independence:

' I am monarch of all I survey,
My right there is none to dispute;
From the centre all round to the sea,
I am lord of the fowl and the brute.

O, Solitude! where are the charms
That sages have seen in thy face?
Better dwell in the midst of alarms,
Than reign in this horrible place.

I am out of humanity's reach,
I must finish my journey alone,
Never hear the sweet music of speech,—
I start at the sound of my own.

The beasts that roam over the plain
My form with indifference see,
They are so unacquainted with man,
Their tameness is shocking to me.'

I am disposed to indulge the conjecture, that when Cowper wrote these verses, such a classical scholar might recollect a passage in Cicero's Dialogue, '*De Amicitia*.' The speaker, *Lelius*, is made to propose the case of a man transported by some deity from human society, placed in a desert, yet abundantly supplied with the necessaries of life, though denied the sight of a human being. He then asks, "*Quis tamen esset ferreus, qui eam vitam ferre posset cuique non auferret fructum voluptatum omnium solitudo?*" (who is so iron-hearted, as to endure such a life, and all whose pleasures solitude would not render worthless?) But I find myself wandering from Alexander Selkirk; yet, in such alluring society who could forbear to wander?

The voyage of Captain Rogers, was first published in 1712, in No. 26 of the '*Englishman*,' December 3, 1713. Sir Richard Steele relates the story of Selkirk, with whom he "had frequently conversed," and whom he thus describes:

‘When I first saw him, I thought, if I had not been let into his character and story, I could have discerned that he had been much separated from company, from his aspect and gesture. There was a strong but cheerful seriousness in his look, and a certain disregard to the ordinary things about him, as if he had been sunk in thought.’

‘Robinson Crusoe,’ first appeared in 1719. Defoe has been very unjustly charged with surreptitiously applying to his own use some supposed papers of Selkirk, which do not appear to have ever existed. Of the story it was scarcely possible that he had remained ignorant, when he was contriving his justly popular romance, though I am not aware that he ever acknowledged any obligations to Captain Rogers’s ‘Narrative of Selkirk.’ Such acknowledgment, if due, ought to have been rendered, and such the author of ‘Robinson Crusoe’ could have amply afforded.

SENILIUS.

SONNET—SUN-SET.*

THE summer Sun had set,—the blue mist sailed
 Along the twilight lake,—no sounds arose,
 Save such as hallow Nature’s sweet repose,
 And charm the ear of Peace. Young Zephyr hailed
 The trembling Echo; o’r the lonely grove
 The Night’s melodious Bard, sweet Philomel,
 Her plaintive music breath’d—the soft notes fell
 Like the low-whispered vows of timid Love!
 I paused in adoration,—and such dreams
 As haunt the pensive soul, intensely fraught
 With silent incommunicable thought,
 And sympathy profound, with fitful gleams,
 Caught from the memory of departed years,
 Flashed on my mind, and woke luxurious tears.

* From the third Edition of Richardson’s ‘Sonnets and other Poems,’
 just published.

LETTER OF DR. MARSHMAN, ON THE CONTROVERSY RESPECTING
THE SERAMPORE MISSIONS.

To the Editor of the Oriental Herald.

SIR,

Edinburgh, January 20, 1827.

HAVING seen, in your number for October last, an 'Examination of the Defence put forth by the Serampore Missionaries,' which convinces me that the author of that article is still completely misinformed on the subject, it has struck me, that although we think no answer to attacks of this nature necessary in India, where our conduct is so fully known, it may not be improper to send you a brief statement of facts, as they really are, as you know me too well to believe I would mislead you or any one on earth, respecting facts with which I am fully acquainted. And relative to the whole of this subject, although your correspondent has so misstated things, that I myself could not have understood their real state, had not every thing previously passed under my own eye, so fully has this been the case, that nothing has taken place among the Serampore Missionaries in the last twenty-seven years, with which I am not fully acquainted. In this statement, it seems quite unnecessary to follow your correspondent through the various misrepresentations which have arisen from his want of information, as a plain statement of facts will make these at once fall to the ground.

Your correspondent is quite unacquainted with the *origin* of this attempt to injure our characters, and our reasons for disregarding it. In 1821, we published a 'Reply' to a work of Rammohun Roy's on certain opinions respecting the Deity and the atonement of Christ, to which the Rev. William Adam had declared himself a convert. This occasioned Rammohun Roy's 'Third and Final Appeal,' early in 1823. To that part of this appeal which related to the atonement of Christ, we published an answer in December, that year. About three months after, Mr. Adam published, not a reply to that work, which indeed remained unanswered when I left India last February, but the first attack on our veracity which had appeared in the course of twenty-four years, in the form of 'Replies to Queries from the Rev. Dr. Weare and Mr. Channing, respecting the state of Christianity in Bengal.' Of this, as all around us knew, both Mr. Adam and ourselves, we took no kind of notice.

In September 1821, the Editor of the 'Oriental Magazine' reviewed Mr. Adam's work, and asserted that, from sums subscribed with a view to the propagation of Christianity in India, the Serampore Missionaries had realized handsome fortunes. This they knew to be so completely unfounded, that it was two months before they

could be persuaded to take the least notice of it. And when some of their friends urged, that although all who knew them felt indignant at assertions so void of truth, some persons recently come to the country, and others who resided far distant from Calcutta, might for a time feel their minds affected by assertions so confidently made, if not contradicted; they contented themselves with publishing the short statement prefixed to my son's letter. This they handed to the editors of the principal papers in Calcutta, but not before it had been sent to the editor of the '*Oriental Magazine*' himself, with a request that he would point out any thing in it he might deem exceptionable, and an intimation that it should be admitted, if this could be done without enervating that defence of their character which he had rendered expedient. It was returned a few hours after, with a kind note from the editor, and only two passages marked which pointed him out as the *writer* as well as the publisher of the article in question. This he did not acknowledge himself to be, although he hinted that he could not expect these two passages to be expunged. As the object, however, was a mere vindication of character, the statement was published without them; and although it contained this solemn challenge, "Unless the Reviewer be prepared to bring forward a distinct *proof* of fraud, the charge of embezzlement brought against the Serampore Missionaries, must be considered as altogether gratuitous," the '*Oriental Magazine*' remained perfectly silent. It brought forward no proofs whatever.

This silence of the Reviewer, when thus solemnly called upon to substantiate his charge, was accompanied with a convincing proof, that the public in India deemed our reply perfectly satisfactory. The Annual Report of Serampore College, which has been supported by the Indian public, from the commencement of its operations, appeared in the succeeding January. This support they thought might possibly be lessened that year, by assertions so confidently made, groundless as they were. Instead of its being lessened, however, they found that it greatly exceeded the sum subscribed the preceding year; and some of the additional sums were accompanied by intimations that the increase had arisen from the Serampore Missionaries having been so unjustly accused.

In October 1825, when your number for June reached us, we were intreated to take no notice of the attack it contained, as it had been fully met already by our '*Reply*' to the '*Oriental Magazine*.' As this article in your number was published in Britain, and our '*Reply*' to the '*Oriental Magazine*' had not come out in any of the periodical works, my son thought it might not be improper to draw up a brief reply to your article, to be published on my arrival, in case our '*Reply*' had not appeared. Finding, when I arrived in June last, that it had not, I had a few copies of my son's reply struck off, to gratify particular friends; and, on finding they had

not seen our 'Reply' to the 'Oriental Magazine,' a few more, with that prefixed. Feeling persuaded, however, that the article in your work must have arisen from misinformation, I forbore to advertise my son's reply for publication, until I could see and converse with you on the subject; but my speedy departure for the Continent not allowing me time for this, a friend, who had known me for above thirty years, engaged to do this in my absence. His being unable to do this, through pressure of business, is, I presume, the only reason why you have admitted a second article of this nature into your periodical work. This brief statement of circumstances will show you that the "legal finesse of *traversing* the case to England," exists only in your correspondent's own mind. Into ours it never entered.

Instead of refuting a simple statement made in my son's reply to him, your correspondent evidently shrinks from the charge of having attempted to accuse us of knavery or embezzlement. In doing this, however, he sufficiently shows us, that his code of morality differs wholly from ours, relative to money subscribed to evangelize India. If he would not deem it knavery to *realize*, or since he will not have the word to mean "embezzle," to "acquire" fortunes, by the "regular gains of the missionary trade," we should deem such a crime knavery of the vilest kind. By the "missionary trade" we have never gained a shilling. Of the money entrusted to us for missionary objects, we have never suffered a shilling to lodge in our hands, even as a remuneration for time and labour in applying these sums. We have ever supported ourselves, and our families, by the labour of our hands, in our respective callings, and we hope we shall be able to do this to the end of life. You will therefore see that the charge of acquiring—not handsome fortunes, but any thing whatever, by "the regular gains of the missionary trade," is totally unfounded, and originates, we would charitably hope, in your correspondent's entire want of information on the subject.

The same want of information pervades all he says, relative to our being or declaring ourselves trustees for "property accumulated through the liberality of the public." We never placed in trust *any* property or sum furnished us by the liberality of the public. We never thought that money sent us to propagate Christianity in India ought to be put in trust. We have ever thought that it ought to be expended immediately, with prudence and faithfulness, on the objects for which it was designed. This we have ever done, without realizing a single shilling, by way of profit, from its management. At Serampore, nothing has ever been placed in trust by us, but what has been originated by the product of our own labour. On this head, therefore, your correspondent has been completely misinformed.

Within the first six years of our residence at Serampore, we purchased three houses with gardens adjoining, contiguous to each

other, for the use of ourselves and our families. This we did, however, without the advice or even the knowledge of our brethren in England. But wishing to leave them in the hands of such as we might choose to succeed us in the work of propagating Christianity around us, rather than as private property in our own families, we gave up the right of property in them to prevent our selling them again, and vested it in our brethren at home, not with any particular view of making a donation to brethren who neither requested nor needed any such thing, but to secure our own object in thus purchasing them; and with a view to this, we, of course, reserved to ourselves the *trusteeship* and the *occupancy*, with the view of transmitting both to those with whom we might choose to leave the care of carrying forward what we had begun, and possibly of our destitute families. These houses, however, have cost us far more since than merely the rent of them. They have become obnoxious to the encroachments of the river, by which that in which Dr. Carey lived has been swept away, within the last two years, notwithstanding all our endeavours; and that in which Mr. Ward lived is still in great danger. After having vested the right of property in these houses in our brethren at home, we might probably have been justified had we consulted them respecting the expense of repairing them, and labouring to keep them out of the river—an expense, by the way, of which not an individual at home had any knowledge, until lately. This, however, we never did; but, carefully applying the funds they sent us, to the support of other European brethren in India, we took all the expense attending these houses on ourselves, and have, in consequence, expended more upon them than twice the price they originally cost us. It is for these three houses alone, which have never cost any one in Britain or India (beside ourselves) a single farthing, that we declared ourselves “trustees,” instead of proprietors; and this your correspondent, for want of correct information, has understood to be “trusteeship” for sums “accumulated through the liberality of the public, and set apart avowedly for religious purposes.”

He is no less misinformed respecting the answer given by us to a letter sent us by some of our brethren in England, about ten years ago. This letter, which was sent us soon after the death of our steady and long-tried friend Andrew Fuller, the late Secretary to the Baptist Mission, contained a request that we would cancel the deeds in which we had declared ourselves trustees for these three houses, rather than proprietors, and make new ones, by which *eight* persons in England should be united in the trust with us three at Serampore. This we thought not only unnecessary, but unwarrantable on various accounts, or rather in every point of view. At the same time, recent changes at home, occasioned by the death of those with whom we had been so long connected, rendered it necessary that we should use language perfectly explicit in a confidential communication, which, to strangers unacquainted with cir-

cumstances, might appear somewhat singular. Lest any mistake should remain on their minds, we distinctly stated, that although we had all along applied what we chose from the product of our own labour to such objects as we thought likely to promote Christianity in India, and intended still to do so, we had never placed a farthing of it at the disposal of any Committee in England, nor given up to them, or any one else, the least of our rights as men and as Christians, but that we merely co-operated with them as Christian brethren who had the same object in view,—the Serampore Missionaries having been, in every department of labour from the beginning, in fact, *co-workers* with friends at home, faithfully applying *their* contributions to the objects specified, and *their own* to various departments, according to the best of their judgment. This letter, although we put it in type, that we might send a copy to each of the brethren who had joined in the letter to us, we, of course, forbore to publish. If we thought the request unreasonable, or even indelicate, as it arose from mistaken conceptions, we could not think it delicate to publish our brethren's mistakes to others. We therefore forbore to send copies of it to our private friends in Britain or India. The Editor of the 'Oriental Magazine,' however, happening to obtain a copy of this unpublished letter seven years after; and being of course ignorant of the circumstances in which we had stood with our brethren from the beginning, as well as of those which occasioned this letter, transformed it into "a stroke of generalship," "a declaration of independence," and into whatever he thought could attach blame to the Serampore Missionaries. This, in its turn, has completely misled your correspondent.

But of all the mistakes of your correspondent, his misstatement relative to the figures my son has given, to prove that no fortunes could have been made from the sums we had expended for missionary or charitable purposes, appears to me the most unaccountable. My son shows, in page 21, that the sum sent us from 1805 to 1822, for printing the Sacred Scriptures, 17,140*l.*, was expended in printing what in other hands would have cost 20,000*l.*, the sum charged for printing these versions being *seventeen per cent.* below the lowest price charged by the presses in Calcutta to benevolent societies. He then states, page 24, that of the funds entrusted to us for Native schools, the benevolent institution, and Serampore College, statements of expenditure had been published from time to time, so much to the satisfaction of all, as to draw forth increasing support for these institutions. He then comes to the sums sent us for the Mission by the Baptist Society in England, 5,740*l.* from 1800 to 1805, and 11,569*l.* from 1805 to 1812; and shows that these sums and much more were expended on their European Missionaries, the surplus being added from our private funds. He then enumerates various other sums, donations, and legacies, which had come into our hands, without being designated

for any of these objects, to the amount of 10,795*l.*, and shows, by extracts from our books, that instead of 10,000*l.*, we had expended in propagating Christianity around us, more than 58,000*l.* Thus the Serampore Missionaries, instead of acquiring handsome fortunes by "the gains of the missionary trade," *i. e.* by the sums sent them to propagate Christianity in India, are found to have applied faithfully every sum thus sent them, and, while supporting themselves and their families, to have applied to the same great object 48,000*l.* from the product of their respective callings.

Now, how does your correspondent meet this clear and simple statement? By attempting to disprove any part of it? By nothing of the kind; but by bringing forward the sums *received* for printing the Scriptures, for missions, for schools, and Serampore college, and *omitting the expenditure of these sums!* Did you ever before hear of such a mode of disproving a statement, as that of omitting one half of it, the *expenditure* given of sums, while the sums themselves are brought forward? Not content with this, however, he goes back into the reply to the 'Oriental Magazine,' and selects thence 22,000*l.* sent them for missions, (the sums already mentioned as received prior to 1812, and 4,691*l.* received and expended on the Society's Missionaries from 1812 to 1816,) and even the sums collected, but funded by Mr. Ward in England and America. Nay, he adds, a legacy of 600*l.* left by a pupil of mine, with which a house for the College has since been purchased at Serampore. A just account of these sums, however, must have been the following:

Contributions sent from England, from 1801 to 1816, for the support of Missionaries in India, p. 9, (not p. 7, as he states),.....	£22,000	0	0	Expended in supporting the aforesaid Missionaries, as mentioned p. 9.....	£22,000	0	0
Ditto raised in India for the instruction of Indigent Christians (children) since 1801, p. 11.....	11,153	0	0	Expended on the instruction of Indigent Christian children since 1811, p. 11.....	11,153	0	0
Ditto for Native Schools, p. 11.....	5669	0	0	Expended in Native schools p. 11.....	5669	0	0
Ditto for Serampore College, p. 14.....	1800	0	0	Expended in purchasing the ground for Serampore College, p. 14.....	1800	0	0
Ditto in England for ditto, by the late Mr. Ward, p. 12.....	2800	0	0	Invested in the English funds by Mr. Ward, for Serampore College, p. 12.....	2800	0	0
Ditto in America for ditto, by ditto (18,000 dollars) p. 12.....	2000	0	0	Invested in American funds for ditto by ditto, p. 12.....	2000	0	0
Ditto from a pupil of Dr. Marshman, in 1820, p. 12	600	0	0	Invested in a house for Serampore College by the Trustees.....	600	0	0
Sums received from Europe for printing the Sacred Scriptures, between 1805 (not 1815) and 1822, p. 21.....	17,140	0	0	Expended in printing the Sacred Scriptures, from 1805 to 1822, p. 21.....	17,140	0	0

This statement, which is precisely that given by my son, of the *expenditure* as well as the *receipt* of these sums, leaves his account of the 48,000*l.* expended by the Serampore Missionaries, beyond the sums sent them, perfectly untouched. But to what can we impute your correspondent's wholly omitting the expenditure of these sums? Could this arise from want of information, when the expenditure lay before him in the same page? Sure I am, that had the most distant suspicion of this *omission* entered *your* mind, you would never have admitted this article into your pages. It may not be improper to add, that although to this sum of 48,000*l.* much might have been added, we never thought it our duty to give an account of every penny we thus contributed, nor would any thing have appeared now, had it not been expedient to stop the mouth of calumny. After all, it is a mere nothing compared with what we owe to the Redeemer of men, and the propagation of his cause.

Still, however, your correspondent seems to think that those three Serampore Missionaries have in some way placed themselves in a state of *spiritual villanage* under their brethren in England, so that the labour of their hands is not their own, but the property of their brethren, as that of the West India slave is not his own, but the property of his master. This idea does seem somewhat strange, particularly in the nineteenth century, when all right over the bodies and labour of other men has ceased, at least in Britain. But, supposing certain spiritualities existed, which gave a right to certain Christian brethren over the temporal labour of others, and that the Serampore Missionaries had sold themselves for ever to certain brethren at home, and their unknown successor, which, he may assure himself, they never did; still, is not his crimination of them somewhat severe? "Their daughters," says he, "have been at the fashionable establishments at Bath." But, if the husband had thus sold himself to his brethren forever, had the partner of his life done the same? Supposing that she had said: "As my husband has sold the product of his labour, for ever to certain brethren in England, so that he cannot give his daughters a single year's education, I will apply to labour, and give them education for a year or two in Britain myself, that they may not be wholly useless in future life," would your correspondent, though he had been one of such brethren, have replied to her: "You yourself have no right thus to give your daughters education; for the product of all *your* labour also belongs to us"? But, if he could not have found it in his heart thus to condemn the wife to a state of perpetual *villanage*, as well as the husband, he is certainly severe in criminating her wish to give her daughters some small portion of education. For the case happens to be, that Mrs. Marshman, to whose two daughters he alludes, did really open an establishment in India for the education of young ladies, distinct from her husband's, in the

year 1800 ; and after nearly twenty-one years of exertion, in which, although she knew the product of her labour to be her own, she devoted many thousand pounds of it to the propagation of Christianity in India, from the love she bore to its adorable author. The state of her health constrained her to revisit her native land ; in doing this, she took with her her two daughters ; and for the sake of improving their minds, placed them at school during the year she remained at home ; and when she returned to India, she was prevailed upon to leave her youngest daughter at school for a year or two longer, the last of which she spent at a school near Bath. This, then, is the whole of the crime ; and unless your correspondent be prepared to prove, that Mrs. Marshman had no more right over the product of her own labour than has a female slave who may have been purchased in one of our sugar islands, I confess I am unable to discern wherein her offence lay.

But this, it seems, is not the whole of their crime. " These missionaries have had some of their members engaged in foreign travels." Respecting this, let me ask your correspondent—if those brethren in England, to whom he thinks the Serampore Missionaries have made themselves bond-slaves for life, have, like the kings whom Nehemiah declares that God had set over the Jews for their sins, dominion over their bodies and their property at their pleasure, and even over that of their wives—does he deem this state of slavery to extend to their *children* also ? If he does, will he be pleased to say at what distance this state of spiritual slavery terminates, and what generation may venture to call the product of their labour their own ? Is it the *fourth* or the *second* ? If it be the latter, then, although the father and mother had made themselves bond-slaves, his crimination is not just ; for my son, at the age of twenty-seven, had a right, after spending twenty-two years in India, to visit Europe at his own expense, and improve his mind, by comparing what he saw, with what he had previously heard or read respecting its inhabitants. Perhaps your correspondent may reply, that he was not aware of his having thus travelled at his own expense. This, doubtless, is true ; but then was he obliged to publish on a subject with which he was so little acquainted ? And with this sentence of my son's before him, " I have never touched a farthing of public subscriptions, and I hope I never shall, even as a remuneration for actual labour," was he obliged to say, " This is a position which our missionary advocate will not meet " ? Will he say in what words he could have met it more fully ? Had he been disposed, he might have added, that while thus disinterestedly applying the various sums sent to India for the propagation of Christianity, he had increased them from the product of his own labour to an extent which I need not mention.

Your correspondent, however, may safely assure himself, that we never placed ourselves in such a state of spiritual slavery under

any Christian brethren, either at home or abroad, nor gave any man the least right over the product of our labour in any way whatever; and that no such original understanding ever existed, either in our own minds nor in the minds of our brethren, Fuller, Sutcliff, and Ryland, in connection with whom we went forth to India. The most cordial union of soul ever existed between us and them, and we know that they would have done their utmost to procure support for us had we ever requested them. But we thought it quite as much our duty, in the infant state of Christianity in India, to support ourselves, if we were able, as it was theirs at home to collect money for our aid. This idea, however, did not leave us so bereft of common sense, as to place the product of our labour at the disposal of brethren in England, and their unknown successors, and thus reduce ourselves to a state of which we had seen no parallel in Britain. We three, it is true, made common stock among ourselves for the better application of what little we might obtain, and the support of our widows and families in case of death, which the two survivors continue to do to this day, as well as support the widow of our deceased brother. But in doing this, we never consulted our brethren in Britain, nor did they ever express any wish to make common stock with us. And your correspondent must be aware, that unless common stock be *mutual* and reciprocal, any right to property arising from it, is only the common-stock plan of the planter with his slave, that of retaining his own and claiming the labour of his slave also. And if your correspondent believes that the Scottish Presbyterian Church lay such claim to the property of their chaplains in Calcutta, over whom he insists that they exercise control, or that the Court of Directors claim whatever a collector of customs in Calcutta may accumulate from the salary they may have paid him, we must beg leave to inform him, that we do not consider any of our brethren, whom we love, in Britain as our spiritual masters or owners. In contributing what we were able towards meeting the first and the heaviest expenses attending the propagation of Christianity around us, we acted as men perfectly free and independent, not consulting our brethren at home, nor even mentioning to them what we contributed,—nor, indeed, to any one else. Your correspondent is the first who has drawn from us the acknowledgment that while we have faithfully applied every sum sent us for the propagation of Christianity in India, without realizing the least profit from their management, we have applied above fifty thousand pounds to the same object from the labour of our own hands. And I almost regret having mentioned it even to remove groundless accusation. After having been enabled to open the way for the Christian public to enlighten the country more effectually than even through the operation of Serampore College, we may be able to do little more

than establish that institution, and provide for our own widows in case of removal by death. Nor do we believe, that even in that case, the Christian public would suffer what we have laboured to begin, with a view to the enlightening of India, to become nugatory for want of funds to carry it forward, as long as these funds shall be faithfully and disinterestedly applied to the objects for which they are designed; and on this we think they may fully rely, not only as long as we survive, but as long as those may live whom we have associated with ourselves in the work.

Respecting the translation of the Scriptures, and the Native converts, as your correspondent has not disproved a single fact advanced by my son on these subjects, it is unnecessary for me to waste your time in referring to them. Relative to the former he may assure himself that our care for providing means to bring them as near perfection as possible, will never cease but with life itself. And respecting the Natives within our circle, who have already embraced Christianity, as they and their families exceed a thousand individuals, should the Divine blessing, on which all must depend, so accompany the means now used to propagate Christianity, as to double their number once in ten years, which he will not say is impossible to Almighty power, although this would give us only 32,000 Native Christians fifty years hence, yet, before the close of two centuries, the period in which Christianity overspread the Roman world in primitive times, the number would exceed five hundred millions, a number equal to all the inhabitants of Eastern Asia. What wise man, then, will despise the day of small things?

To conclude, your correspondent will himself, I trust, now be convinced that it is not always safe to believe every slanderous report, propagated at a distance, which may not have been contradicted; that there may be men found who can not only suffer in some degree from the mistakes of others, without feeling any desire to publish those to the world, but who can hear the most unfounded slanders propagated respecting themselves, without having instant recourse to legal vengeance, or even deeming it necessary to notice them, under the certainty that they will, in a short time, refute themselves, and injure no one beside the calumniator.

This brief statement might have reached you sooner, perhaps, had not my journeys, first in England and then in Scotland, prevented my sitting down to it until within these few days past.

I remain, Sir,

very sincerely yours,

J. MARSHMAN.

INDIAN SONNETS.

MR. D. L. RICHARDSON'S Sonnets and other Poems, which we have before often noticed in our pages, having been recently reprinted in a third miniature edition, with notes and illustrations not to be found in the former copies of the work, we have great pleasure in selecting from among these two of the shorter pieces, with the notes attached to them, as possessing peculiar interest to Oriental readers of all classes.

SONNET VIII.

(Written in India.)

THE winds are hush'd,—but yet the dark clouds lour,
And shroud the rising sun! The distant hill
Lies hid in mist,—the tempest-swollen rill
O'erflows the dreary vale,—this hoary Tower
Austerely frowns above the withered bower,
Where sits the drooping Minah, cold and still. (1)
Yon blasted Tree the gazer's breast doth fill
With fearful dreams and majesty of power!—
The mighty Spirit of the Midnight Storm
Passed where for ages rose the Green-wood's Pride,
And what availed its glory? Its proud form,
Cast on the groaning earth, but serves to hide
The Serpent's dwelling; and Decay's dull form
Soon in its mouldering bosom shall abide! (2)

(1) The Minah is a bird somewhat smaller than the Ringdove, with a dark brown plumage. Its most frequent haunt is a cluster of bamboos. Being easily tamed and taught to speak, it is a great favourite with the ladies of the East. The most esteemed birds of this species are those procured from the Rajmahal hills, and denominated Hill Minahs. At the dawn, or close of the day, these birds are seen in prodigious numbers on almost every tree in the neighbourhood of a Bengal village.

(2) The tempests in India, during the rainy season, are frequently of a most formidable description. The following extract of a Journal which I kept of my little Indian adventures, though very hurriedly and carelessly written, may give some idea of a storm on the Ganges:

"I left Bandah* (from which place I was proceeding to Calcutta on leave of absence) with my wife and child, on the 14th of July 1822, and arrived at Buxar† on the evening of the 25th. This may be termed a long voyage, considering the great force of the stream in our favour. My sister-in-law, with her little daughter, were in another budgerow‡ that accompanied us. Our little fleet consisted of two large budgerows, two oolocks,§ and a patella.|| The last contained my horses, sheep, goats, poultry, &c. To take charge of these, there were, on board the same boat, my grooms, grass-cutters, shepherds, poultry-keepers, &c. We left Buxar early the next morning, and from that time to the present, we have experienced an almost continual tempest; the easterly winds prevailing with more or less violence. In

* Bandah, in Bundelkund, is about 650 miles from Calcutta.

† Buxar is 406 miles from Calcutta.

‡ A kind of pinnace.

§ A cook-boat, in which provisions were dressed.

|| A large clumsy boat, for baggage, cattle, &c.

consequence of the heavy periodical rains, the banks of the Ganges were completely inundated, and whole villages, within a mile or two of the river, were totally destroyed by its overflow. Our boats frequently struck against the thatched roof of a Hindoo's dwelling. We ought to have arrived at Dinapore* in two days, instead of which, we did not reach it before the seventh day, though we were sufficiently adventurous, and took advantage of every trifling pause of the opposing elements. Yesterday, at six o'clock in the evening, and but a few minutes after our budgerow had been secured to the bank in the usual manner, a sudden change of the wind, which commenced with prodigious violence, and a heavy fall of rain, with thunder and lightning of the most awful description, prepared our minds for one of those terrific nights which are so common at this period of the year. We were much alarmed when we found that my sister had not yet arrived. Our budgerow rolled so heavily that we were unable to stand or sit, without clinging to the sides and doors. The waves rose to an appalling height, and bursting over the Venetian side windows, rushed into our apartment at every heel of the vessel. We now thought it would be advisable to quit the budgerow, and weather the storm on shore. We were the more determined on this step, when the sailors informed us that the oolock, which contained the most of our domestic servants, had already been dashed to pieces, and that they were fearful the budgerow might share the same fate. We had sent several men on shore to learn whether there was any habitation near us; and one had just returned to inform us, that he had proceeded along the banks, as we had directed him, and had discovered, at the distance of a quarter of a mile, a small village, consisting of about half a dozen miserable huts. He added, that he had been obliged to cross a stream to get to it, and that the inhabitants had declined offering us either shelter or assistance. Being, however, again assured that the budgerow would, in all probability, sink or go to pieces, I immediately landed with my wife and little boy. This was not done without considerable difficulty and danger, for, being on a lee shore, the vessel dashed against the steep and rugged banks with amazing violence. We took with us only two male attendants, leaving the rest to assist the boatmen, and protect the property on board, until we could procure a reception in the village. Directing our course along the shore, up to our knees in mud and water, and expecting at every step to fall into some hole or ditch, we saw the wreck of the oolock in the stream, to which the servant had alluded. Several boatmen were clinging to the wreck, and crying most piteously. The tempest was now at its climax, and we could scarcely support ourselves against the violence of the wind. The night was so dark that we could not see an inch before us, except when the occasional flashes of lightning illumined the troubled waters which almost surrounded us. One of my servants was on the point of throwing himself into the stream, to give his assistance to the shipwrecked boatmen, when they (hearing our voices) called out that they were not in danger, the water where they stood being only up to their breasts. It appeared that they were dragging in the wreck, and bewailing the loss of their property. We now went higher up the stream, where it was more shallow; and with great difficulty contrived to cross it in safety, though wet to the skin, and oppressed with cold, anxiety, and fatigue. We at last reached the village, but were for some time positively refused the slightest shelter. After much difficulty and delay, however, we got possession of a hut, through the straw roof of which the rain poured in torrents. We were obliged to pay very heavily for our uncomfortable lodging, as it was urged by the owner of the place, that it was necessary to remunerate the priest, for purifying, with the water of the Ganges, the apartments we had *defiled* by our presence! We had not been twenty minutes in this wretched hovel, when a servant came to inform us that another boat had been wrecked close to our budgerow. We were now in the greatest agitation, fearing that it might be the one in which were my sister and her daughter. I was on the point of sallying forth, when a second man arrived with the intelligence that it was a large vessel laden with grain; and that two

* Dinapore is 350 miles from Calcutta.

of the boatmen belonging to it were supposed to be drowned. We were expecting every moment to hear of the wreck of our budgerow, and we sent on board for a few clothes and blankets. Most of the boatmen behaved nobly, and would not leave the vessel the whole night. The storm still continued with unabated fury; the country around was a complete swamp; and the inundation was gaining ground with every breaker. To complete our distress the village was immediately on the banks of the river, and there was no other habitable place of any description, within five koss* (10 miles). The dread of being surrounded by the inundation, and the howling and roaring of the winds, blended with the piteous cries of the shipwrecked sailors, conspired to impress us with a full sense of our unhappy situation, and to darken our hearts with the most melancholy forebodings. Neither my sister's budgerow, nor my own patella, had yet arrived. At eleven o'clock two men, in a small dingee (canoe) were seen endeavouring in vain to reach our budgerow. About two o'clock in the morning they came again, and accomplished their object. They had been sent by my sister to procure tidings of us, and to assure us of her safety. It appeared that she was at no great distance from us, and that our patella was secured within a few yards of her. At six o'clock the winds abated, and we returned to the budgerow, which, being new and well coppered, had sustained little injury. On our way back we saw many wrecks, and the dead body of a Native dashing against the shore. After the Hindoos had made offerings of milk and herbs to the *sacred river* (the Ganges) for their preservation, we once again weighed anchor, and started for Calcutta with a more favourable breeze than we had yet enjoyed."

SONNET X.

THE SUTTEE. (3)

HER last fond wishes breathed—a farewell smile
 Is lingering on the calm unclouded brow
 Of yon deluded victim. Firmly now
 She mounts, with dauntless mien, the funeral pile,
 Where lies her earthly Lord. The Brahmin's guile
 Hath wrought its will—fraternal hands bestow
 The flaming brand—the crackling embers glow—
 And flakes of hideous smoke the skies defile!
 The ruthless throng their willing aid supply
 And pour the kindling oil. The stunning sound
 Of dissonant drums—the Priest's exulting cry—
 The failing martyr's pleading voice have drown'd,
 While fiercely-burning rafters fall around
 And shroud her form from Horrors's straining eye!

(3) The Suttee is the self-immolation of a Hindoo widow, on the funeral pile of her husband. This sacrifice is not explicitly enjoined by the shasters or sacred writings of the Hindoos as actually necessary to salvation. Many well-informed Natives, among whom is the learned Brahmin, and ardent philanthropist, Rammohun Roy, have objected to the practice, as not only abhorrent to humanity, but as altogether contradictory to the fundamental doctrines of their faith. Though a widow is seldom compelled to destroy herself, yet, having once offered to do so, neither tears nor intreaties, should her resolution fall her, will have any effect on the priest or her relatives. She is bound to the funeral pile, and surrounded by the faggots, in spite of all her exertions. If by any extraordinary chance she should escape from the fire, she would be punished by the loss of her caste, and considered a disgrace to her family and friends.

* A koss, in Bengal is about two English miles; but in the northern provinces of India it is nearer three.

**SPECIMENS OF ORIENTAL LEGISLATION IN MATTERS OF
POLICE.**

ONE of the most striking points of difference between the despot-ridden countries of Europe, and the freer and more happy island we inhabit, is their state of respective police. In England, provided a man commits no actual breach of the peace or of the laws of the country, he is, generally speaking, free to go and come without interruption; to walk the streets, to traverse the country, or to remain within his own abode, at such times and places as may best suit his convenience or his pleasure, without interrogation or molestation. In France, one of the best governed countries of the continent, every movement of almost every individual is watched, and there is no going from one town to another without passports and examinations enough to exhaust the patience of the gentlest of mankind; in Prussia, it is still more galling; in Austria, absolutely intolerable; and in Spain, perhaps worst of all: the existence or interference of the police being least felt in the freest and best governed countries, and most severely and painfully experienced in the most despotic and worst governed nations. The truth of this rule (which, as far as we are aware, may be said to be of universal application, and to which at least we know no exception) is capable of being illustrated by example, and if we pass from Spain to Turkey, and from thence to Persia and China, we shall find the rigour of the police and the severity of punishments in an exact ratio with the barbarity and ignorance of the governors, and the slavery and misery of the people. The most unequivocal symptoms of the progressive enlightenment of the one, and the increasing happiness of the other, is to be found in the relaxation by the government of severe laws and ordinances, and the exercise among the people of free will in almost all their actions: and the greatest proof of a declining state of intelligence and happiness in nations, is the drawing tighter and tighter the cords and fetters by which men's thoughts and actions are restrained from that enjoyment of free development which God and Nature are considered by most men to have intended.

Applying this rule to the state of things at Bombay, we are compelled to admit, that instead of the English government increasing in its liberality and advancing the happiness of its subjects there, it is really retrograding in character, and attempting at least to impose on the people over whom its rule is extended, greater restraints than those to which they were subjected under their former "oppressors," as it is the fashion of these usurpers of the power and wealth of the Native Princes to call their predecessors. But before we give the details of the Bombay transactions, we shall

offer, in a short compass, a few illustrations of the principle adverted to, respecting the close connection between a tyrannous government and a severe police, by citing some of the latest acts of the government of Constantinople and Madrid. We shall give them in the order of their dates:—

PROCLAMATION OF THE SUBLIME PORTE RELATIVE TO THE INSTITUTION OF THE CHIEF POLICE.

Constantinople, Sept. 20, 1826.

‘Although this verse of the Koran, ‘Obey God—obey the Prophet of God, and the depositaries of authority,’ make it a duty of every Musulman to be subject to the authorities,—yet, for some time past, the evil-intentioned, known under the name of Janissaries, in contravention of the divine law, had withdrawn themselves from obedience; and the first evil had brought in its train a general disorder, both at Constantinople and in the rest of the empire. As this turbulent militia, in order to give loose to their excesses, pretended to mix in every thing, the condition and even the life of the Mussulman nation were no longer in safety—no longer enjoyed tranquillity. Every thing, even down to the smallest business, felt the general anarchy. The rayas themselves had begun to participate in it, *by wearing habits which did not suit their condition.*

‘The Sublime Porte, since its origin to the present time, imitating the example of the Caliph Omar, who had established *commissaries of police* charged with authority over *vagrants*, and with the care of the provisions necessary for the support of the people, had provided for the order of the Empire by establishing a chief of police; but the audaciousness of this disorderly horde, invading every kind of business and commerce, engaged in forestallings of every kind, and rendering it impossible to maintain *conveniently ancient institutions*, so that the people were reduced to purchase at an exorbitant price, and by false weights, the objects of the first necessity. Now, thanks to God, we have succeeded in chastising and destroying this horde of malefactors; and henceforward by the Divine assistance, *every thing* will be regulated according to *divine* and human laws. The orders of his Highness are, that we secure still more, day by day, the *repos* and *tranquillity* of the nations who live under the shadow of his Imperial power. In consequence, the Sublime Porte is vigilant, *night and day*, to cause its administration, directed *solely* towards the tranquillity of the country and the safety of the people, to be conformable in every thing to the holy law, that no person, without grounds may be exposed to suffer. It directs its cares towards providing the different articles of subsistence according to the imperial will. It has nominated among the *capidji-bashi*, a chief of police, charged according to ancient ordinances with the duty of preventing forestalling, of repressing vagrancy, and of compelling the rayas to return within the limits of their condition. It is his duty constantly, at the head of a guard, *to traverse the streets and the markets*, to watch over the prices and the weights of the articles which the people purchase. In a word, his superintendence will extend to objects of the first necessity. He will give the same directions to those who are under his orders.

‘All the Mohammedan people will acknowledge that the beneficent views of the Sultan are *constantly* and *solely* directed to the glory of religion and the maintenance of the public peace; and that the re-establishment of the office of chief of police is, in itself, a great *blessing*. All Musulmans, convinced of the truth of this maxim, that all the faithful are brothers, will see in those of the same religion only brothers, will live united among themselves, will do good, will avoid evil, will never fail, along with the community of the faithful, in fulfilling the precept of the five prayers; will never suffer among them, or in their quarters, bad subjects, *disturbers of public order*, or intriguers; will never occupy themselves but with *their own affairs*; will

abstain, above all, from every bad action, and from every thing that does not become a Musulman; and will *never intermeddle in any of the affairs of the Sublime Porte*; which besides *do not concern them*; in fine, they will never cease to offer up for his Highness those prayers which are a *divine obligation* on every Musulman.

'You will cause this proclamation to be known to the inhabitants of the different quarters, and to all whom it may concern. You will cause them to comprehend it, and explain it to the chiefs of the corporations.'

The tone of pious devotion to the public good which pervades this singular document, is quite in keeping with the usual tenor of such proclamations; the rulers being always (if you will take *their* words for it) *solely* intent upon preserving 'peace and tranquillity,' according to the established phraseology; but 'unlimited and implicit obedience to their will,' would be a more appropriate phrase. The closing part of it is, however, the most illustrative of the despotic principle. According to this authority, the affairs of Government (on the right or wrong administration of which the happiness of the people is almost wholly dependent) is no other than the affairs of the ruler for the time being: the people, it would seem, have nothing to do with the laws, but to obey them; they are to mind only *their own affairs*, which are said, emphatically, to consist chiefly in praying, *without ceasing*, for the tyrant who rules them; whether it be with a rod of iron or a branch of olive: for it is, in either case, equally a 'divine obligation.' They are not to intermeddle with any matters of government, in which all that they have to do is, to pay and to suffer as much as their rulers may please to exact or inflict; and the time not consumed in thus paying and suffering, is to be devoted to prayer, for blessings on the heads of their masters! This is the 'whole duty of man,' whether in Turkey or in India; and may be said, in both circumstances, to comprise 'both the law and the prophets.'

We pass to another state paper:

CREATION OF A PREFECT OF POLICE, AND DECLARATION RESPECTING THE GREEKS.

Constantinople, Oct. 26, 1826.

'Seeing that, for some time past, it has been found difficult to execute the laws and ordinances of the empire, all things have departed from their *ancient* sphere; and the rayahs, among others, have indulged in practices utterly opposed to their condition as rayahs. In consequence, it is the supreme will of his Highness that all things should be restored to their respective limits, and that a prefect of police, chosen from among the *Capidji Bashi*, should be appointed, to whom that task may be committed. *Every opinion* being in *unison* with regard to this measure, it has been adopted, and in the ordinance which has been issued on the subject, and which is clothed with the authority of the autograph order of his Highness, is strictly forbidden to every rayah to carry in future large *kalpaks*, to be clothed in cloth or stuff of the colour or cut that is assigned to Musulmans, and they are forbidden to wear any thing but *benish* and *djubbé* (long dresses, which merely differ from each other in the length of their sleeves), of narrow black cloth, of the cut at all times assigned for the rayahs; they must not be seen abroad otherwise clothed; their patriarch will give them speedy information on this head;

and if they are found transgressing by the Prefect of Police, after the publication of this ordinance, they will be *immediately seized and punished*.

‘It is known that certain of the rayahs, foolish men, in divers places, and on the canal, allow themselves to transgress the limits assigned them by their condition of rayahs, thatt heir daughters appear in public in the Bosphorus, in Pera, at Kethkané, and other places, dressed like Franks. The Prefect of Police is ordered and enjoined to punish any rayah whom he shall in future meet, dressed in any way that is *not allowed*; and the care of this is not committed to him alone, for we ourselves will see to it; and if we shall hear of any contravention of these our orders, we shall reserve to ourselves the power of inflicting *other* punishments. For these ends, *Bouïouruldi* shall be sent to the Armenian patriarch, and to the Jewish Khahambashi, and thou too—thou shalt see that it be well understood of such of the Greek nation as need requires—that henceforth every one must clothe himself after the *ancient mode*; and that every part of their conduct, and all their actions, must be regulated conformable to their *miserable condition* of rayahs, and that none do depart from the same; and whoever contravenes these presents shall be punished *without mercy*.’

These are the blessings of a ‘paternal Government’ in full force: those who are once ‘miserable,’ are for ever after to remain so; and not even to put on the *appearances* of happiness, under the pain of being ‘punished without mercy.’ The good work proceeded, as might be expected; and the following extract of a letter from Constantinople, just subsequent to the date of the preceding proclamation, will show the steps by which a tyrannical police ultimately arrives at its ends. ‘There is no longer any confiscation, but in lieu thereof every man *suspected to be rich*, is strangled at his own residence, whether he be Turk or Christian! The Chief of the Ichoglans has just been served so, as well as a rich Jew, two Sarafs, or Armenian brokers, and the Munedgim Basha, or grand astrologer. This latter gentleman had foretold to the Sultan, from the particular knowledge he derived from the motion of the stars, and the oscillations of his prophetic ring, that three hundred thousand men should march under his sovereign command to conquer the entire world; he had been labouring for many years in the great work, and was just on the eve of discovering the philosopher’s stone, as well as the eternal water, which was to render the Sultan immortal, when he was sent on a mission to the next world.”

The following are fragments of a state paper just issued here:

Constantinople, Nov. 1826.

‘The Merciful One’s will hath been, that the Chief of the Musulmans should profess the doctrine of the Koran, and that he should be sound in spirit to fulfil the functions of the Vicar of the Prophet of the Supreme Inan. According to the doctrines of Omer Nefessy, the Sultan ought to unite the practice of all the virtues to the legitimacy which is acquired by the triumph of arms, and by the *indisputable possession of sovereign power*. Having once assumed the reins of empire, the Prince of Believers, charged with the general safety, reigns with an *absolute authority*; and even had he *usurped* the empire, his authority should be *respected*, it being impossible to condemn his spiritual and temporal power, except in case of manifest impiety.’ ‘It is written in the Ketab (Koran), which came down from heaven, ‘*that every new law is an innovation, that every innovation is a wandering from the right course, and every wandering leads to fire everlasting*.’”

Who is there who does not admire this concise and irresistible statement of a doctrine so universally advocated by men in authority? It is much more impressive, in its progressive advance to a climax, than the simple assertion with which other nations maintain their attachment to the wisdom of their ancestors. It is more eloquent than the line of the English poet—'Whatever is, is right;' and, as it points out the inevitable consequences of men attempting to alter things that are established, the innovator, or reformer, must be regarded, wherever this doctrine is received, as already damned beyond redemption. The *chef d'œuvre* of legislative wisdom, in connexion with the restraints of a perfect police, is, however, the last state paper of the Turks issued on this subject. It is as follows:

PROCLAMATION OF THE SUBLIME PORTE TO THE MUSULMAN PEOPLE
AGAINST SEDITIOUS CONVERSATION.

Dec. 1826.

'The militia of the Janissaries had been, as every one knows, habituated, for a long time, to *cast contempt* upon the Sublime Porte. Their treason and their excesses are too well known and established. They have been entirely dissolved, conformably to the divine law, and to the unanimous wish of all the Ulemas, and of all the *friends of religion and government*. Their name and their insignia have been for ever effaced from the surface of the earth; those who among them were the promoters of all the disorders, and who on that account *merited death in the eyes of God and of men*, have received the punishment due to their crimes; others have found in *exile*, or in other chastisements, the *price of their works*. Finally, thanks to God, Constantinople and the rest of the empire are freed from the calamities which their wickedness occasioned. These evident marks of the protection which *Divine Providence* extends to the Sublime Porte, impose, above all, the obligation of clinging more than ever to the unshaken foundation of our holy religion. Now, to accomplish a duty sacred in the eyes of every true believer—namely, that of watching over the preservation of the public treasury of the Musulmans—all opinions are united for the suppression of those of the other corps, such as those of the Sipahces and the Siliktars, whose existence had no other effect than the exhausting of that treasury. By this measure, with the aid of God, and under the shadow of the power of our exalted, potent, and majestic emperor and sovereign-master of Musulmans, the Caliph of the Prophet of God, we are assured, on all points, of the destruction of the enemies of the divine word. We have taken the proper means to secure the tranquillity of the Musulman nation. Every thing advances. The man the least endowed with *reason*, the least attached to *religion*, is penetrated with *gratitude* for so many *blessings of the divine goodness*. Prostrate before God, he returns thanks for it, and prays the Almighty to prolong the days of his Highness. Nevertheless, there are among the Musulmans, individuals, base, wicked, and animated by malevolence, who, under the externals of devotedness to religion and government, are, at the bottom of their hearts, partisans, and *disturbers of the public peace*. To these are joined the *wives* of the criminals who have been *put to death* or *exiled*, who had been, out of compassion, *permitted* to reside at Constantinople, along with other wretches destitute of faith and reason. With the object of exciting troubles, they go about every where repeating, 'They are going to do this,' and 'Things are coming to that.' They spread every sort of lying rumours, ascribe to the ministers of the Porte, and to the agents of the Government, intentions which never entered their heads, and thus extend anxiety and trouble in the minds of the *peaceable* and *well-disposed* classes of Musulmans.

“In these circumstances, particularly at the end of a conflagration, which was nothing else than a visitation from God, those who escaped the disaster, or such as have suffered by it, ought to read in it a terrible lesson. Great and small, all ought to examine their own consciences, to pray for pardon for all their sins, known or concealed, and in every case hasten to offer to the Supreme Tribunal the tribute of their prayers and humility, for the purpose of warding off similar calamities. By these marks we shall know them to be true believers; but we see, on the contrary, amongst them a crowd of *ignorant persons*, as little acquainted with the dogmas as with the duties of religion, and destined to suffer in this world and the next, listening only to the suggestions of Satan, following only the impulses of their hatred, indulging in *sinful conversation*, in which they throw upon the Sublime Porte every species of accusation, which proves nothing else than that they do not know how to submit themselves to the *decrees of Providence*, and that they revolt against the commands of God himself. In their madness they circulate their lies amongst crowds and gossips, void, like themselves, of all due sense of religion, and these in their turn endeavour to spread them.

“Government has been apprised of all these proceedings. This *sedition talk* is an act of *high treason*, not only towards the Sublime Porte, but towards all the disciples of Mahomet, and as it can have no other effect than to disturb the public tranquillity, every measure will be taken, *both secret and open*, to discover those who indulge therein. They will certainly be found out, and their punishment will deliver the Musulman people; reason and religion equally demand it.

“From this day, henceforward, men disguised in a manner that will secure them from the possibility of being recognised, will traverse all points of the city; women will likewise be disguised, and will penetrate into houses and public baths; and henceforth, whoever dares, man or woman, to spread false reports, and provoke to disorder by *sedition speeches*, will be instantly seized. No pardon, no delay, will be granted: let them be great or small, it will have no effect: protection, prayer, or intercession, will be of no avail. It is certain and decreed, that the guilty will be punished, and that their punishment will take place, for each, in their different quarters.

“In consequence, henceforward, let all busy themselves with *their own affairs*; let them live *quietly*; let them never cease to address to heaven prayers for length of days to him who is the shadow of God upon earth, and whose munificence daily binds his subjects with *new blessings*; extending protection peculiarly to the *feeble* and the *poor*. It is thus they will show themselves grateful for the tranquillity which they enjoy, and for the *bread which they eat* under the shade of the protection of the Sublime Porte. But let every one be apprised, that, after this day, they must cease to spread any false rumour, which may excite *disturbance*, to interfere in *matters which do not concern them*, and thus to encounter, in this world and the next, the wrath and chastisement of God.

“If they pay no regard to this warning, and transgress it, we be to the guilty, whoever they be, men or women; they shall be laid hold of, and the men shall be instantly punished, in the places where they are found, as an example to others. *As to the women, they shall be strangled, and thrown into the sea!*

“Great care must be taken to explain these resolutions to all the persons in the different quarters of the city; they are to be repeated to each person individually, men and women, great and small.”

This is Oriental Legislation; and it is not confined to Turkey. The massacre of the sepoys at Barrackpoor was as bad as any act done towards the revolting corps of Janissaries. The conduct of the former was indeed mild and harmless, compared with that of the latter; as they demanded only that which was afterwards

admitted to be necessary to the fit performance of their duties, and on that ground granted to them; but their punishment was the same; for they, like the Janissaries, had 'their name and their insignia for ever effaced from the surface of the earth'—the rank and place of the 47th regiment of Bengal Native Infantry being blotted out from the records of the army; the supposed 'promoters of the disorders' mowed down by masked batteries of English artillery, and volleys of musketry discharged at them from their former comrades in arms,—while 'others found, in exile and other chastisements,' such as working in irons on the public roads for life, 'the price of their works,' for daring to ask the paternal government under which they lived to supply them with indispensable requisites for their march into an enemy's territory! This is the course in which India resembles Turkey in her *military* measures. In her *civil* proceedings the resemblance is equally strong. It is only out of 'compassion' that Englishmen, not in the service of the India Company, are 'permitted to reside' at Calcutta, as the 'wretches destitute of faith and reason are at Constantinople.' And when either of them became 'disturbers of the public peace,' or, in other words, dare to offer an opinion on the state of public affairs in either country, both they, and their *wives*, and children too, are '*exiled*' from the capital of British India, in as unceremonious a manner as they are from the capital of the Sublime Porte; while the 'peaceable and well-disposed classes,' thus relieved of such *thinking* members, are called on to be grateful to their Maker, as well as to their Rulers, for the blessing of so signal a delivery from evil!

The orders of the Sultan of Turkey, respecting seditious conversation, may seem to be such as are not easily paralleled by any legislative acts in British India; but, whoever remembers the celebrated act for restraining the Press in Bengal, will not doubt our equality with the Turks in the art of despotic government. This act rendered it criminal, not merely to speak seditious words, (for that is criminal even in England,) but to possess any printed book or paper which the Government thought proper to denounce—whether printed in England or elsewhere—or even to borrow it from one neighbour, or lend it to another for perusal! while it authorized persons to enter their neighbours' houses, at any hour of the day or night, to search for such forbidden books or papers, or the materials for composing and printing them, and established in short a sort of Inquisition scarcely less horrible than that of Italy or Spain. Measures were also to be taken by the same Government, 'both secret and open,' which could not fail to lead to the discovery of offenders: and these, as in Turkey, were to be punished without trial or without mercy: and although they did not actually threaten to strangle the women and throw them into the sea, they made no scruple to do what was infinitely less

humane—namely, instead of thus at once putting an end to their sufferings and their cares—reducing wives and children to poverty, and consigning them to a condition in which they might probably drag out a painfully protracted existence for the remainder of their days.

We despise the Turks for such laws and such measures, as they deserve to be despised; but when the same things are done by such men as Mr. John Adam, Sir Francis Macnaghten, and Lord Amherst, and defended by the India Directors, the Board of Control, the Parliament of England, and his Majesty's Privy Council, they are called 'just and expedient,' and not at all 'repugnant to the laws of the realm.' Fortunately, however, there are honest men and upright judges, who, in spite of these high authorities, venture to think differently.

The following are the latest advices we have seen from the admirably governed capital of the Sublime Porte:

Constantinople, from 1st to 12th Jan. 1827.

'JAN. 1.—The Pasha of Damascus was at first *banished* to Cesarea. A Haseki has just been sent to *cut off his head*. His successor at Damascus is Hafiz Ali Pasha, late Pasha of Cesarea. Hadjee Salik, who was at Marach, is appointed Pasha of Cesarea, and Tchapan Oglou Mehemed Pasha, who was an *exile* at Tokat, is named Pasha of Marach.

'JAN. 2.—Sady Effendi is named Divan Effendi of Wallachia; he will set out for Bucharest as soon as the Capou Kiaia of the Prince has paid him his travelling expences.

'JAN. 4.—Two Tartars who arrived yesterday, brought some heads, which have been exposed with the following inscription:—

'Some robbers lately appeared at Talenti and Ignoki. His Excellency Redchid Pasha sent against them his troops, the faithful friends of victory. The enemy, attacked with impetuosity, was completely routed; two cannon, five standards, and 150 heads, were the trophies of the combat: they are seen here ignominiously settled in the dust.'

'JAN. 6.—Sixteen Janissaries have been brought from Rastanboul, whither they were *banished* in the month of June. They have been executed in different parts of Constantinople. It is said that they used *scditionous language*.

'In the ordinance respecting the coffee-houses at Galata, which it expressly declares shall not be re-opened as such, *warning* the proprietors to convert them to some other purpose, it is stated, that a great abuse has been introduced into Galata, by the barbers turning their shops into coffee-houses: now, though there is no objection to the barbers giving coffee to their customers, the resort of persons who come to their shops as if they were real coffee-houses, is to be prevented, and all such *idle persons* who do not want to be shaved, are to be desired to *go home and mind their business*.'

To show how uniformly the same spirit manifests itself under similar systems of rule, we have only to turn our attention towards Spain, the next in rank to Constantinople among the 'paternal governments' of the West. Austria might, perhaps, dispute the palm with her, and from some facts mentioned in the letters of a Continental Traveller, in an early part of our present number, it will be seen that she possesses strong claims to such distinction.

Most of our readers will remember the memorable saying of the Emperor of Austria at Laybach, that he wanted no 'learned men' in his dominions; all that he desired being loyal and obedient subjects. But, on the whole, Ferdinand excels him; and one of the latest of his public manifestoes, which we give below, will prove, we think, his being the most truly 'paternal' ruler of the two. It is as follows:—

'MADRID, DECEMBER 3.—The Superintendent-General of the Police has addressed the following Circular to his subordinate officers:—

Madrid, Nov. 10, 1826.

'All the Intendants of the Police will send to the general superintendence, in the term of a month, an account of all the persons, whatever may be their ages, sex and condition, who belong to one of the following descriptions:—Being attached to the Constitutional system; having been in the National Volunteers, whether infantry or cavalry; Member of the Sacred Battalion, reputed a Freemason, known as a Communero, *regarded as a Liberal*, or an acquirer of national property. Moreover, it must be added, if the individual was a Member of the Supreme Junta of Government of Madrid; whether he was a Minister, a Member of some Tribunal, a Deputy to the Cortes, or Secretary or Political Chief, or employed in any other way; Member or Curator of any political society, a *public writer*, or any thing else that may give an exact notion of the *opinions* he held during the reign of the Constitution. The conduct which he has held since the fall of that system till the present time must be noted; and the influence he has, or *may have*, by his fortune. As soon as any individual included in the above description, and his servants, or his children, ask for passports to leave his parish, the Superintendent-General is to be immediately informed, mentioning the *suspicious* his movements occasion, excited by his *political opinions*. Unless such persons have *proper motives* for travelling, they are not on any account to receive passports in this case. The passports of every one attached to the constitutional system are to describe the villages he is to pass through, and where he is to stop, which will enable the authorities to *watch his proceedings*. The police-officer who deviates in the least from these instructions shall be *dismissed*, and *tried*, and *punished*. Every police-officer who denounces a union of persons meeting to consider *affairs of government*, shall be rewarded with 1000 reals. If the meeting consists of more than six persons, and the house is suspected, he shall receive 2,000, and be promoted.

'The Circular is to be preserved among the secret papers.'

Of the 'flourishing' state and condition of these once mighty empires, which, but a few centuries ago, almost divided the possession of the finest countries on the globe, but are now fast tottering to their fall, we need say nothing. The Turk could not command a loan of money from any government or people in existence, at any rate of interest he might offer; and the Spaniard is bankrupt alike in honour and in credit. It is clear, therefore, that the severest police to control men's actions, and the most rigid censorship over their opinions, will not lead an empire to strength or greatness. On the contrary, as the wealth and power of nearly all the nations of the present day are in an almost exact ratio with their enjoyment of freedom, both in thought, word, and deed, it is fair to infer, that restraints on either are positively prejudicial to the public welfare, in as great a degree as they are destructive of private happiness.

If nations learnt wisdom from history or experience, we should see this truth operate on their conduct, but they proceed just as blindly in their work of legislation as if the experiment had never been tried, and continue to believe, or at least to act as if they believed, that men are to be made honest by a rigorous police apprehending all who are in the open air between eleven at night and six in the morning; innocent and guilty indiscriminately; and to be made satisfied and contented by merely stopping their tongues. The attempts so repeatedly made, but of late, in Bombay at least, most fortunately resisted, to effect the last in India, have only increased the very discontent they were intended to allay, as stifled feelings are always most powerful; and it requires no gift of prophecy to foretell that the attempts now making to effect the first, that is, to make men honest by severe punishments, will as assuredly fail.

We shall lay before our readers a brief sketch of what has been done, and was still doing, up to the date of our latest advices from India on that head, and they will judge whether we have not good reason to class our British-Indian Police Magistrates and Functionaries with those of Constantinople, Madrid, and other equally well-governed cities in Europe.

Soon after the arrival of Sir Edward West, the Chief Justice of the Supreme Court at Bombay, his attention was directed, at a very early period, to the state of the prisons and the police. He visited the jail and other places of confinement in person, attended by the officers of his court, and saw for himself the actual condition of those who were under the sentence of the law. He obtained the most accurate information respecting the state of the police and the manner in which the Magistrates performed their duties; and in the course of his investigations, discovered that they not only exercised their powers in the most arbitrary and severe manner, but also that they assumed powers which the law did not warrant; and that their conduct as a body was, and had been, for a long period past, as illegal as it was uncalled for and unjust. His masterly charge to the Grand Jury of Bombay, in which his discoveries and opinions on this subject were fully announced and explained, has been already laid before the readers of the *Oriental Herald*,* and he has since followed up his just examination of the illegal powers exercised by them, by a firm and consistent opposition to their struggles for arbitrary power. The reader who may be curious enough to refer back to the charge in question, will see details of stripes and floggings, imprisonments, banishments, and other cruelties exercised at the mere will of one individual, and sometimes with no other knowledge of the offender's demerits than a note brought in his own hands from his humane master or mistress,

* See Vol. IX. p. 410.

desiring that he might be well flogged for insolence, inattention, or any other equally vague and undefined crime. Sir Edward West denounced these doings as illegal, and held out hopes of protection to whoever might apply to the Supreme Court for redress against injuries thus unlawfully inflicted. The consequence was, a more cautious administration of these unlawful punishments; and then, forsooth, the Police Magistrates, wounded in their dignity, because curbed in their power, when they find that they cannot do *all* they desire in the way of flogging and banishing, pretend that, their power being impaired, disorder must follow; that nothing but 'wholesome severity' will keep the 'disorderly' within proper bounds; and that consequently every imaginable evil must result from this attempt to confine their powers of punishment within mere legal limits. Accordingly, to make their prophecy complete, they got up as entertaining a farce as has for a long time been played off upon the good people whom this is intended to delude. They first found a few Natives of Bombay, of whom there are always abundance in the immediate employment of the Government, ready at command, to address a Petition to the Governor, recounting the recently increased disorders in the Island, and praying for better protection, by an increase in the numbers of the army and the powers of the Police. This was followed, or accompanied (it does not appear which, as the document is without a date) by a letter in a similar strain, also addressed to the Governor, reciting the same evils, and suggesting a similar remedy; but it is worthy of remark, that to neither of these documents is there attached any signature, Indian or European, which, considering the very different manner in which these things are generally managed in India, we take to be conclusive evidence of their having originated with the Government or the Police, who merely used the nameless Natives as ready tools for their purpose. Be that as it may, the Secretary to Government addressed a letter to the Justices of the Peace, requesting them to assemble, in order to inquire into the *cause* of the late increase of disorders, and think of a remedy. They, accordingly, assemble, and call before them some of the principal Natives to assist in their deliberations, (a step never thought of or even tolerated, except when some purpose of Government or its functionaries is to be served,) and come unanimously to the conclusion, that it is a *want of power to inflict arbitrary and severe punishments*, which they enjoyed in the good old times before Sir Edward West came among them, that is the *cause* of all the increased crime; and the remedy of course they discover only in a restoration of those powers to imprison, flog, banish, or otherwise punish, whomsoever they, in their single pleasure, may individually think deserving these favors at the hand of the common executioner of their commands. We must give the documents themselves, however, *seriatim*, and reserve space for a few words at the end.

PETITION OF NATIVES

TO THE HONOURABLE THE GOVERNOR IN COUNCIL:

The Petition of Native Inhabitants dwelling without, and inside the walls of the Fort of Bombay;

HUMBLY SHEWETH—That your petitioners having, *as they ought*, every reliance upon your Honourable Board on all occasions of difficulty and distress, most respectfully bring to the notice of Government, that your petitioners are in *dread and terror of their lives* and property, *every night* they retire to rest. For a considerable time back, robberies and personal injuries have been committed (by daring characters, foreigners, bad characters, driven for bad behaviour from their native countries, yet, although suspicion almost amounts to conviction against them, no *one fact* can be so clearly brought home as to convict them at the sessions,) and is on the increase; so much so, that they patrol in gangs during the night, armed with swords, and no efficient power to check them, the police peons being without any description of arms beyond a stick. These plunderers, when resisted, cut, wound, and otherwise maltreat, sparing neither women or children, and to such an alarming height has the evil arisen, the villains laugh at the police peons; for when a particular robbery is intended, they direct the peons to put out their lights, and remove from the spot.

In short, your petitioners humbly shew that their houses are in a *state of siege* throughout the night; their helpless wives and children in fear, and themselves in a constant state of watchfulness and anxiety; the whole deprived, in consequence, of their natural rest.

One of your petitioners, Wittoba Cannojee, humbly states, to your Honourable Board, that when he represented this state of things to the Police Magistrates, they confessed they had not the *power* of remedying the evil.

Your petitioners therefore humbly approach your Honourable Board, praying it will, in its wisdom, devise such remedy as may appear calculated to relieve your petitioners. And your humble petitioners will, as in duty bound, ever pray.

Bombay, 10th July, 1826.

LETTER OF NATIVES.

To the Honourable Mountstuart Elphinstone, President, and Governor in Council, at Bombay.

HONOURABLE SIR,—We beg leave most respectfully to state, for the information, and favourable consideration of your Honourable Board, that the number of thieves, on this Island, has greatly increased within this last fortnight, and have now become so daring, that they nightly enter the houses of the inhabitants in gangs, to the number of from 25 to 40, each with naked sword in hand, and rob them of the whole of their property unmercifully; stabbing and wounding them in case of any resistance. They, on entering each house, ask the inhabitants of it to deliver up to them the keys of their trunks, chests, &c., in the house, and in the event of refusal, they wound them so that the poor dwellers are obliged to submit to them, for fear of losing their lives. This daring and most cruel attempt, is made by the thieves almost every night; and if any one of us and others, open a window to look at them, they throw stones upon us, so no one dares to open his window, or to come out of his house, to afford assistance to those who call for it, being sure of losing life himself.

On the night of Sunday the 2d instant, a gang of thieves, about 25 in number, entered the house of Gungather Narrayansett, in the street of Wital Warry, armed with swords, and threatened him, his two brothers, and their family, that they would murder them in the event of their making any noise, in consequence of which they were obliged to keep silence, and the thieves robbed them of their jewels, and other light articles, to the value of about 1000 rupees.

In consequence of the peril to which we are thus exposed, we and the *Oriental Herald*, Vol. 12.

other inhabitants of the country are obliged to watch the whole of the night. Though some of us have employed a few Sepoys to guard in the streets, yet as they are not permitted to bear arms, they are unable to stand against the gang, who are armed, and far superior to them in number. Under these unfortunate circumstances, we beg leave, most respectfully and humbly, to suggest, and solicit the Honourable Government will kindly be pleased to adopt the undermentioned measures for the security of its *poor subjects*, who are now on the verge of ruin :

That you will be pleased to order that parties of Sepoys may be placed in each of the principal streets, out of the fort, each party consisting of at least 15 persons, armed with such weapons as the Honourable Board may deem necessary to supply them with.

That the parties may be directed to take into custody *every individual* that may appear on the roads and streets from 11 o'clock at night, till 4 in the morning.

We sincerely trust, that should your Honourable Board be pleased to adopt the above measures, for our security, that thieves will soon be discouraged from committing further depredations upon the inhabitants, who cannot at present retire to rest in security.

We have the honour to be, with the greatest respect, honourable Sir, your most obedient humble servants,

LETTER OF THE JUSTICE CLERK.

To David Greenhill, Esq., Acting Secretary to Government.

SIR,—I am directed by His Majesty's Justices to acknowledge the receipt of your letter of the 12th instant, to my address, conveying the request of the Hon. the Governor in Council, that His Majesty's Justices would assemble, in order to investigate the cause of the late frequent robberies, and that they would at the same time require the attendance of some of the oldest and most respectable Natives, to offer their opinion on the probable causes of the inefficiency of the Police, and suggest the remedies which should be applied,—stating, also, that the senior Magistrate of Police would communicate the measures which Government have already sanctioned. In reply, I am directed to request that you will have the goodness to inform the Hon. the Governor in Council, that a meeting of His Majesty's Justices was accordingly held on Saturday last, which was also attended by some of the principal Natives, when the senior Magistrate of Police laid before them the documents required. From the information which His Majesty's justices thus obtained, they are led to believe (and these were also the *general* sentiments of the *Natives* who attended the meeting) that the principal causes of the late frequent robberies are—

1st. The large number of disorderly and predatory characters driven here by the *improved Police* prevailing in the neighbouring countries since their annexation to the British Territories.

2nd. The *restrictions* which the *powers* of the Police Magistrates are understood to have undergone, particularly in their being divested of the authority *simply to inflict corporal punishment*, and in Petty Sessions to *bannish from the Island* aliens convicted of offences, or of *bad character*, and to punish them *severely* on their return without permission, and,

3rd. The change which has been introduced in the mode of conducting criminal prosecutions, which probably from being misunderstood, or perhaps, from its *novelty alone*, may, it is thought, have tended to prevent prosecutions, and thus shield and encourage offenders.

The principal causes of the inefficiency of the Police, the Bench are generally of opinion, are—

1st. The constitution of the Police Establishment, which, as stated by Mr. De Vitre, in his letter to Government, has been, until now, extremely defective; and 2dly, the unusually extensive influx of aliens of *disorderly and dishonest habits* previously accounted for, whose numerous depredations it is evidently far from easy for the Police to check.

With regard to the remedies to be applied in removal of the existing evils, the Bench are of opinion, that they are sufficiently suggested by the causes of

those evils as above detailed. One of those causes, the defective constitution of the Police Establishment, the Bench is disposed to think is likely to be removed when the measures are in full operation which Government has, at the recommendation of the senior Magistrate of the Police, adopted for the improvement and increased efficiency of that establishment, together with the arrangements which the Bench have also sanctioned, in prosecution of the same object. When, in addition to these measures, the powers of the Magistrates shall be rendered as they were originally exercised, and when the mode adopted for instituting prosecutions shall be fully understood and acquiesced in, the Police of Bombay will, it is the opinion of the Bench, be as effectual as it has usually been.

Greater improvement cannot, the Bench believe, be effected, without the adoption of other measures, calculated to check offences, and furnish further aid to the Police;—such as *easier convictions* and *severe punishment* of the receivers of stolen goods, *greater facility of search*, and other similar rules, which it would not be difficult to frame, but which might not be deemed *free from objection*, unless felt to be *absolutely requisite*.

I have the honour to be, Sir, your most obdt. Servt.,

(Signed)

B. NOTON.

Bombay, 18th July, 1826.

Clerk to His Majesty's Justices.

There is no one acquainted with the habits and manners of the Natives of Bombay, or with the history of the particular period to which this correspondence refers, who must not see at a glance that though there might, by possibility, have been a barely colourable pretext for such a petition of the Natives, and such a letter of the Secretary to Government as these here exhibited, yet that it was after all *nothing but* a pretext, on which both the one and the other were founded; that the petition, in short, was made to draw forth the letter: and not the letter to answer the petition. In these days of 'pernicious publicity,' which all Indian functionaries so much dislike, it is necessary to *have* a pretext for any new invasion of the liberties of the people; and if circumstances do not already exist to form one, then they must be made and moulded in such a manner as to suit the occasion, which every one at all acquainted with the facts of the case must perceive to have been done (though not very skilfully) in the present instance.

If, however, as we stated at the outset, an increased rigour of police is characteristic of a tyrannous and unjust Government, and the freedom of individuals from personal restraint, a proof of a mild and happy system of administration—which we take to be incontrovertible—then we think Calcutta, where a regulation exists, stating, that no man shall have in his possession any book denounced by the Government, nor give or lend it to his neighbour for perusal or otherwise, under pain of fine, imprisonment, and even worse punishment,—and Bombay, where the right to flog and banish individuals without trial, at the mere discretion of a single magistrate, is contended for as necessary to the preservation of the peace,—deserve to be ranked next to Constantinople and Madrid in the order of well-governed capitals, and their inhabitants, English and Native, in the same noble and dignified class of 'free men,' as those subject to the bowstring of the Turk in the one, or the stripes and fetters of the Holy Inquisitor in the other.

CASE OF MR. JAMES HAY, INDIGO PLANTER IN POORNEAH.

We have received a printed pamphlet, containing a Memorial of Mr. James Hay, Indigo Planter at Poorneah in Bengal, addressed to the Court of Directors of the East India Company, calling their attention to certain illegal and oppressive proceedings of one of their Judges in the district named, and asking redress for injuries received through the means of the unjust and oppressive acts detailed.

We regret that the fulness of our present Number, at the time when this Memorial reached us, prevented our giving insertion to the whole of it in the present month. We hope, however, to be able to accomplish this in our next. In the mean time, we may say, that the facts stated are such as ought to have called forth the immediate attention of the Court of Directors, to the best means of investigating the truth, and awarding the appropriate redress; whereas, in their usual procrastinating style, they first indirectly insinuate that this complaint against their functionaries abroad ought to have come to them through the prescribed channel, which is no other than that of these functionaries themselves, (an admirable contrivance to prevent being overburthened with complaints,) and next say, that all they can do is to send the Memorial and its appendages to Bengal, (against the Government of which it contains charges,) to be *there* investigated by the parties accused, as well as others no doubt, although there is already appended to Mr. Hay's Memorial, all the correspondence that passed between himself and the party he accuses of injustice, as well as the defence of the Judge (Mr. Wollen), under his own hand, and the letters of the chief Secretary to the Bengal Government, after having what had been written and done on both sides fully before him.

What else could the Directors desire, on which to found their judgment? The sending the Memorial back again to Bengal is a mere mockery of justice. But it rids them of a troublesome applicant for redress for another twelvemonth, in which his witnesses, or even he himself, may die, and his inquiries be consigned to oblivion; and, at all events, the protraction of time always affords hope of escape to the guilty, however the innocent may fall victims to the delay, and thus helps to shield injustice and oppression from merited contempt and punishment. We hope to return to this case soon.

ON CHOLERA AND LIVER COMPLAINTS.

Medicine is a science, in the successful practice of which all men must be deeply interested as long as they continue liable to corporeal disorders and infirmities, and there are few indeed, in the present day, who have not frequent need of its salutary aid. We shall, therefore, offer no apology for inserting in our pages a few passages from ‘Dr. Graham’s Treatise on Domestic Medicine,’ (recently published,) relative to Cholera and Liver Complaints, two diseases which are frequent and severe in India, and to the former of which many of our countrymen are yearly sacrificed. We have the greater pleasure in bringing these passages before our readers, from the belief that there are a few of them, in India especially, who may not derive considerable benefit from their perspicuous and intelligible details.

‘OF CHOLERA MORBUS.

‘By cholera is meant a vomiting and purging, which is often of an alarming character, especially in hot climates. ‘This disease has been generally considered to be an inordinate secretion of bile of a vitiated quality; but it is now certain, that those are the most alarming cases in which the secretion of bile is wholly suppressed. It would seem, that an excited state of the stomach and small intestines, has much more to do in producing this complaint than any diseased affection of the liver or gall ducts.

‘*Symptoms.*—The most frequent symptoms are, nausea, pain, and distention of the stomach and intestines; quickly succeeded by violent and frequent vomiting, and painful purging of bilious or other ill-conditioned fluids; agony of the intestines and abdomen; distressing thirst and heat, followed by cold sweats; a quick, small and sometimes unequal pulse; great anxiety, and extreme restlessness; excruciating spasms of the legs, arms, chest, and abdomen; fainting; sometimes universal convulsions.

‘The most dangerous signs in the ordinary progress of the disease are, a coldness of the surface of the body, extending over the region of the heart and stomach; the skin under the nails becoming incnrvated; the tongue icy cold; an universal colliquative sweat breaking forth, with a shrivelling of the palms of the hands and soles of the feet; an absence of vomiting and purging. The violence of the attack may destroy life in 24 hours, but this is not a frequent occurrence in Great Britain.

‘*Causes.*—This disease is most frequently caused in our own country, by suppressed perspiration, particularly by cold or damp applied to the feet; cold, indigestible fruit, as unripe apples, cucum-

bers, melons, &c. ; violent purgatives ; sudden fright : and it prevails most at the close of summer, and the beginning of autumn.

‘ But it is to India that we are to look for cholera in its most exquisite forms, where it is frequently epidemic, and, from its malignant character, often frightfully destructive of human life. The remote cause of the epidemic cholera of India yet remains to be ascertained, for there are insuperable objections to considering it either as propagated by contagion, or dependent upon a peculiar state of the atmosphere.

‘ It has been usual with medical writers to consider severe affection of the liver, or of the bile ducts, to be the immediate cause of cholera ; but the present author is convinced that it is really owing to high irritation and spasm of the stomach and small intestines ; for nothing can explain the severity of the symptoms in this disease, the extensive chain of influence excited, and the complete exhaustion of the living principle, which sometimes occurs with astonishing rapidity, but the supposition of such a condition of these very sensible and important organs. The imperfect organization of the liver and bile ducts, their dull sensibility, and their confined sympathies, are so apparent, as to render it impossible for us satisfactorily to account for these phenomena by any imagined spasm centered in them.

‘ *Distinction.*—When the vomiting and purging are absent, it is distinguished from choleric by the symptoms of intense anxiety, and the spasms of the extremities.

‘ *Treatment.*—In the slighter cases of cholera, the proper treatment consists in freely administering mild diluting drinks, as weak chicken-broth, barley-water, toast-water made with thoroughly toasted bread, and the like. Dr. Douglas strongly recommends toast-water made with toasted oat-bread boiled in the water, which he declares that he never knew rejected. These may likewise be exhibited by the rectum. After the stomach and bowels are thus cleared, the saline mixture, in the act of effervescence, should be given, (see No. 72, page 84 ;) and repeated doses of laudanum must follow, to subdue the spasmodic action. Forty or fifty drops of laudanum, or more, may be given every hour, in the saline effervescing draught, or in spear-mint water ; or a grain and a half of opium be exhibited in a pill, with or without three or four grains of antimonial powder. A grain of calomel combined with a grain of opium is a powerful remedy, and may be given every two hours, or oftener, till the symptoms subside. When the patient can retain nothing swallowed, opium should be rubbed into the pit of the stomach. See No. 36, page 86.

‘ In the cholera of India, however, and even in the severer description of cases in our own country, a more decisive and active plan of treatment is always necessary. In Indian cholera, the plan

pursued with most success consists in bleeding from the arm to the extent of sixteen or twenty-four ounces, according to the strength of the patient, and immediately afterwards administering calomel with opium, in very free doses of from fifteen to twenty grains of the former in a dose, with one or two grains of opium, which is to be repeated, if necessary, every two or three hours, till the urgency of the symptoms subsides. To these should be added a liberal use of the most diffusible stimuli, as the sweet spirit of nitre, carbonate of ammonia, camphor, or hot arrack-and-water, mixed with camphor mixture. The hot bath is also proper, and stimulating embrocations to the abdomen and limbs. See No. 38, or 43, page 87.

Dr. Ainslie states, that having observed the ejected matters in cholera to be of an acedent nature, and that the aliment previously taken was generally an acid, or acedent substance, he lost no time in having recourse to antacids, and generally gave preference to the subcarbonate of magnesia in a full dose; seldom less than two drachms and a half, or three drachms, dissolved in water. He found the magnesia a more certain remedy than the subcarbonate of potash, or any other alkali, and asserts that it was so effectual that he had occasion, in a very few instances only, to repeat it. He says, that the offending matter was by this means neutralized; the distressing vomiting ceased; the patient had, perhaps, a few loose stools; a re-action took place in the frame; and a tranquil sleep soon supervened, from which the patient never failed to awake free from complaint. By means of this simple antacid, he hesitates not to say, that he has saved many hundred lives in India, and since his return to England it has been ordered with equal success. Dr. Ainslie appeals to one of the most distinguished physicians in London, whether or not he finds the magnesia of eminent utility in the present disease.* The Doctor's remedy is a simple one, yet it appears to me to be worthy of trial; and, from the nature of the disease, I think it likely to be beneficial in very many cases of this alarming malady.

A writer on the epidemic cholera of India, reports the effects of a fortunate blunder, in one instance, in the following terms: 'By mistake, twenty grains of calomel and sixty minims (equal to 120 drops) of laudanum, were given at an interval of less than half an hour. The patient was inclined to sleep; nothing more was done; and in two hours and a half he was as well as ever he was in his life.'

OF LIVER COMPLAINT.

'By liver complaint I mean positive disease, of a chronic character, in the structure of that viscus.

* 'Observations on the Cholera Morbus of India,' by Dr. Whitelaw Ainslie.

‘*Symptoms.*—The most frequent symptoms are, a sense of weight or uneasiness in the right side; pain at the top of the shoulder; sallow complexion; impaired or capricious appetite; irregular bowels, and discoloured offensive motions; progressive emaciation and debility; and a quick, regular pulse. The pain is generally much increased on pressure below the ribs of the side affected; a sudden jerk, from a false step or other accident, occasions acute pain in the right side; there is, for the most part, some degree of cough with expectoration; the breathing is sometimes difficult and oppressed; the urine is high coloured; and the patient cannot, in general, lie on the left side. Sometimes there is an enlargement, to be felt on manual examination, under the false ribs on the right side.

‘*Causes.*—Whatever greatly weakens and disorders the stomach and bowels, or impairs the general health, may lay the foundation of disease in the liver. It is most frequently induced by the exhausting and deleterious influence of a sultry climate, combined with the excesses so commonly indulged in, by European residents, in such regions; by anxiety of mind; excessive use of mercury, or of ardent spirits; insufficient exercise, and sedentary occupations. It is not unfrequently met with as a sequel of acute inflammation in the organ.

‘*Distinction.*—The term *liver complaint* is now far too indiscriminately employed. It is properly applied to designate disease in the texture of the liver; but the majority of the maladies called by that name are in reality severe disorders of the digestive canal, that is, chronic affections of the stomach, or intestines.

‘Liver complaint may generally be distinguished from severe disorder of the functions of the stomach, or intestinal canal, by the slow but progressive emaciation and loss of muscular strength present,—by the fixed and determinate character of the malady,—the quick, but regular pulse,—and the continued pain or uneasiness in the right side. In functional disorder of the digestive canal, on the contrary, the loss of flesh is not often so great, and never progressive; the complaint frequently varies; the pulse is generally irregular, slow, and sometimes intermitting; and the uneasiness felt in the abdomen is chiefly about the pit of the stomach, or in the bowels.

‘*Treatment.*—The unthinking, and less skilful part of the profession, almost universally agree, that mercury is here the ‘fit and only remedy,’ and, in general, they scruple not to prescribe it very freely; but those whose experience and judgment are most to be depended on, are very cautious in the employment of that mineral, and place little reliance on it in the treatment of this disease, when uncombined with other medicines, and a correct diet and regimen. Notwithstanding, mercury, when judiciously pre-

scribed as an alterative, in small doses, and in conjunction with antimony and opium, is sometimes very beneficial, and never hurtful; but salivation is almost invariably to be avoided, at least in this country. In tropical climates, this remedy may be carried to a greater extent in treating the present disease, not only without injury, but with advantage; yet even in such a situation, I think much mischief is often produced by its incautious employment, in consequence of practitioners seeming to consider its utility to be nearly proportionate to the quantity speedily introduced into the system, and from their forgetting that diseases of a chronic character, which are slow in their progress, can never be cured quickly, nor by violent measures. When calomel, or any other mercurial preparation, is employed in liver complaints, it should be administered in such small doses as relieve pain and irritation, without very sensibly affecting the constitution in any other way. With this view, the pill No. 89, or 98, or Plummer's pill, No. 102, page 102, may be taken every night, with a saline aperient, as No. 25, page 83, every other morning, and a bitter stomachic twice in the day. The stomachic mixture, No. 74, page 95, will sometimes prove very useful. As auxiliaries to this plan, a warm bath at 95° twice a week, an occasional blister over the region of the liver, or a seton in the side, with change of air and scene, and the diet and regimen recommended for *Indigestion*, will be very proper and beneficial. Frequently, the alkaline solution (page 2) may be taken in the day, as a tonic, with much advantage.

‘The late Dr. Scott, of Russell Square, who practised many years in India, has recommended the nitro-muriatic acid bath as a valuable remedy in liver complaint; and, although it has met with a good deal of opposition in some quarters, I am persuaded from personal experience that, in some cases of this disease, it will produce very beneficial effects, and be more useful than mercury in any form, and than almost any other remedy.

‘In the present case, leeches are frequently applied to the region of the liver, but, I think, without satisfactory results, unless the inflammatory action runs high. I have rarely seen them afford much relief in chronic disease of this organ, and would recommend them never to be employed, unless the necessity for their use is clearly indicated; since, if applied when not called for, it appears to me that they cannot fail of being injurious, by increasing the debility already existing.

SKETCHES OF PERSIA, FROM THE JOURNALS OF A TRAVELLER
IN THE EAST.

An elegant little work, under this title, has been just published, in two volumes, post octavo, by Mr. Murray; and is likely, we think, to become popular. The introduction is a good index to the whole of the text which it ushers in. It is light, airy, playful; and though here and there not so choice as could be desired in the quality of its wit, is nevertheless decidedly clever, and characteristic of an acutely observant, as well as a very happily tempered mind. The book contains neither geographical, statistical, nor political dissertations on Persia. It is neither an itinerary nor a tour through that country; but, as its title implies, consists of mere 'Sketches' of isolated scenes, unconnected events, and episodic delineations of manners, each as they happened to strike the writer, and invite him to note them down for preservation in his portfolio.

It is as singular, as it must be discouraging to the reader, to find the very worst of all the 'Sketches' placed at the beginning of the book. We can readily imagine many individuals whose tastes would be so offended by the picture there given of a ship-master, in the voyage from Bombay to Muscat, that they would throw down the volume as worthless, and never resume it again. We advise such persons, however, to proceed; and if they have any relish for light and agreeable anecdotes, descriptive of eastern manners, and bearing all the stamp of accuracy about them, they will read the 'Sketches of Persia' to the end, and derive considerable entertainment in their progress.

SONNET—SUN-RISE.*

How gloriously yon mighty monarch rears
His proud resplendent brow—like Fame's first light
That breaks oblivion's gloom! His tresses bright
Inwreath the rosy clouds. All Nature wears
A bliss-reviving smile.—The glittering tears,
Shed by the tristful spirits of the night
On verdant meadows, vanish from the sight,
Like rain-drops on the sea! The warm beam cheers
The drowsy herd, and thrills the feather'd throngs
Of early minstrels, whose melodious songs
Are borne upon the breeze. Now mortals send
Their orisons above, while shrubs and flowers
On whispering winds ambrosial odours blend,
To charm and consecrate the morning hours!

* From the third Edition of Richardson's 'Sonnets and other Poems,' just published.

DEBATE AT THE EAST INDIA HOUSE.

Wednesday, February 7, 1827.

THE minutes of the last Court having been read,

THE CHAIRMAN (Sir G. Robinson) laid before the Court copies of papers relative to the qualifications of Military Interpreters and Medical Officers agreeably to a General Order of the Court. The Chairman then informed the Court that it was made special for the purpose of taking into consideration the following regulation :

‘ We, the undersigned, Proprietors of India Stock, duly qualified, request that a Court of Proprietors may soon be called, to which it is our intention to submit the following propositions :

‘ 1st. To deliberate on the present state of Oriental Education, connected with the absolute necessity for the whole of the Company’s servants in Hindostan, to acquire at least some colloquial knowledge of its popular tongue.

‘ 3d. To determine whether the elementary acquisition of Hindoostanee in this country be not indispensable to candidates for official appointments, previous to their nomination by the Court of Directors, in order so far to secure the future good Government of British India, and the durable prosperity of that vast Empire.

‘ 3d. To decide also on the propriety of the proposed preliminary qualification for Free Merchants, Mariners, and others, before granting them a license to reside among a hundred millions of Native subjects, in daily contact with those European inhabitants who, in general, know nothing of the Hindoostanee, and, consequently, may injuriously impede, through the multifarious transactions of public or private life, not only the local authorities, but the common weal of the people and state.

‘ 4th. For a copy of the Regulations issued by the Court of Directors relative to the public examinations, at home or abroad, of persons intended for the Company’s Service in India, or in their respective acquirements as Oriental scholars, with a view of securing efficient servants for the effectual management of numerous important affairs in our extensive and extending domains in the East.

‘ 5th. To compare the real expense of the two systems of Oriental tuition existing here since 1818, with the notorious disproportionate results of each, the total charge of one mode of Oriental instruction alone having amounted to 64,000*l.* for 560 students, while that of the other was only 4000*l.*, for communicating similar information to 1600 pupils at the Hindostanee and Persian Lecture Rooms in London, many of whom are now not only very useful interpreters, &c., but are able and ready to execute other responsible functions in the East India Service.

‘ 6th. To recommend the adoption of some plan here for the immediate encouragement of appropriate military education and Oriental literature, with colloquial proficiency among the King’s officers, the Company’s cavalry and infantry, cadets, &c., to the serious attention of the Executive Court, which has done nothing yet to enable those youths to proceed hence as officers or linguists to India, well qualified to command numerous bodies of brave men, by speaking the most current local dialect, and being at the same time well instructed, as the engineer and artillery students have long been at Addiscombe, in those arts of war and tactical exercises inseparable from the due performance of their respective duties in the Indian army.

‘ JOHN BORTHWICK GILCHRIST.
JAMES PATERSON.
W. MAXFIELD.

W. MASON.
LEICESTER STANHOPE.
JOHN CAPRON.
JOHN NEILL.

JOHN LEDGER.
R. SLADE.
JOSEPH HUME.
J. KIERNAN.’

Colonel STANHOPE wished, previous to the discussion of the question of the day, to give notice of a motion he intended to make at the next General Court of Proprietors on the subject of Persia.

The CHAIRMAN hoped the gallant Proprietor would excuse him for his interruption; but he must inform him that the course he was pursuing was quite irregular.

Colonel STANHOPE stated, that it was the practice of Parliament, by which the Chairman had often directed his conduct, to give notice of motions previous to the consideration of the business of the day.

The CHAIRMAN thought the most regular course of proceeding was to go at once to the discussion of the business for which they were summoned, and to give any notice after that had closed.

Dr. GILCHRIST had one or two observations to make on the subject of giving notices. He entirely agreed with the gallant Colonel, that if any questions were to be asked, they ought to be asked before the regular business, as afterwards no attention was paid to them, for out of 500 persons who were now present, only fifty or sixty would remain. It was much better to ask questions, and to have them answered when the Court was full, than when nobody was present.

The CHAIRMAN rose to order. The learned Proprietor was quite irregular in the course he was pursuing, for it was of no consequence in giving notices whether the Court was full or not. He must beg that the Court would support him in maintaining that regular course of proceeding, which was so necessary for the consideration of a string of resolutions of so extended a nature.

General THORNTON disagreed with the Chairman. He had seen the advantage of the former practice.

The CHAIRMAN desired that the business of the day might go on.

Dr. GILCHRIST begged to be heard in explanation.

The CHAIRMAN was sure that the hon. Member (Mr. Hume), who sat next to the learned Gentleman, must see the irregularity of his conduct, and he was much obliged to him for his endeavours to induce the learned Doctor to conform to regularity and order.

Dr. GILCHRIST then stated that he came before the Court with several propositions. He was deeply interested in bringing them forward, not as an individual, but as a Member of that Court. There were two nations who had rendered their name conspicuous for the height to which they carried colonization. Ancient Rome was one of those nations. The practice of the Romans was, to carry their language and their gods to the States they conquered, or to adopt the deities of the subjugated people, and enrol them among their own, in the idea, he supposed, of "the more gods the merrier." The Greek language, however, formed an exception. Whether that plan was a good or a bad one he did not pretend to say; but he knew there were few of those Colonies but what were crumbled to the dust. The Romans had, however, left monuments of grandeur and magnificence among their dependent States; but he feared after-ages would look in vain for similar remains among the colonies of England. Unfortunately, the object of all our pursuits seems to be to feather our own nests, and to come back as rich as we can. He deprecated, on this occasion, the practice of denouncing as a libeller any individual who got up to expose errors in a system that was wrong. His wish was only to tell what was true, and that whatever he said should be founded in fact. He held in his hand a Gazette, published under the authority of the Lord Amherst, dated Jan. 25, 1826. In an article upon the debates at the India House, the writer observed, that he was fully prepared to admit the force of Mr. Hume's reasoning upon the necessity of officers acquiring a knowledge of the language of the Natives of India.

A PROPRIETOR rose to order. If the practice of reading extracts were

allowed, every person might come supplied with a pamphlet, from which to read his speech. (1)

Mr. HUME said, that it was the practice of that Court, that whatever extracts a Proprietor might read, should be taken as part of his speech; and it was a matter of surprise to him that a gentleman, who had grown grey as a Proprietor, should venture to make such a statement as he had. He deprecated the practice of individuals interrupting a speaker in the midst of his observations, when the Chairman, who was there for the purpose of preserving order, thought there was no occasion for interference.

The CHAIRMAN did not think that the learned Proprietor had been guilty of any breach of order.

Dr. GILCHRIST said he only followed the example of a gentleman on the other side of the Court, who had, on a former occasion, produced a document so voluminous, that it would reach from that Court to St. Paul's. The writer in the Gazette went on to say, that the debates originated in a desire to serve an individual, and not the young officers. That accusation he denied. It arose from a mistake of the Deputy Chairman, in supposing him ready to enter into a contract for teaching Hindoostance; but, God be praised, he was in a situation to make such a course in him unnecessary. For his attempt to point out the ignorance of the native languages that prevailed among the officers, he was afraid he should be exposed to the same punishment which a member of another Joint Stock Company had suffered; and a young officer would perhaps come from India with a horsewhip in his hand on purpose to horsewhip him. But if any person were to make such an attempt, he would take up a pistol and shoot him through the head. (2)

(1) It is to be regretted that the reporter has not given the name of this acute observer, as he ought to enjoy the reputation of his profound remark.

(2) Our esteem for the sterling virtues of Dr. Gilchrist (and he has many and eminent ones) has been so frequently expressed, that we are sure our motives will not be questioned, when we feel it our duty to animadvert on his errors, (for errors also, like other men, he undoubtedly falls into.) The former are the offspring of a benevolent heart; the latter, the produce of a fervid imagination not always under the control of the judgment. It is right, however, in a publication which advocates free discussion, that these distinctions should be pointed out, and that Dr. Gilchrist's errors, as well as those of other men, should be commented on wherever they are observed.

Presuming on the accuracy of the report, which we have no reason whatever to suspect, we can hardly imagine a more extraordinary declaration than this. Seeking vengeance by personal chastisement, though neither becoming a brave nor a civilized man, is, nevertheless, so common an occurrence, that men who have no murderous intentions commit such assaults every day in the year. But shooting a man through the head, when he was unarmed and unprepared for such an event, would be a most unusual course. Nothing can justify the taking away the life of a fellow-creature on a sudden, but the strongest evidence that his aggression is directed to the destruction of the life of the person assailed. But as no one was ever yet horse-whipped to death, it would be sufficient to take the ordinary remedy of whip for whip, if the parties were matched in strength - or risk of life for life, under some terms of fairness and equality, if they were not—or the best and most becoming remedy of all for a citizen of a free state, the punishment which the law inflicts on all who degrade themselves by personally assaulting their fellow-men. To shoot a man through the head, would, under such circumstances, be no better than returning a foul expression or even a blow with the secret stab of the stiletto, which oft-n enough occurs in Italy, but which would be thought atrocious in England, and would be, in fact, the more so, because it would be an event for which no assailant with a whip at least would be prepared. We give Dr. Gilchrist the credit of being incapable of doing this although, in the fervour of his indignation, he might have unthinkingly uttered what is here imputed to him; besides which, it happens, fortunately enough in this present instance, that it is not the custom in this country, as in Turkey, for men to carry ready-loaded pistols in their girdle: so that, if such an assault should take place, (against which, however, we think

The hon. Proprietor then reverted to the state of Joint Stock Companies, in which no abuses would have existed, had the Proprietors done their duty. Mr. Clark had, however, probed some of them closely; and in America the very Directors had been sent to the tread-mill. He had heard that the Directors who sat before him, sold writerships, cadetships, and a great many other ships. He did not, however, complain of this, provided that the individuals who bought such offices, were able to perform the duties of them. The Directors, he understood, had patronage to the extent of from 5 to 20,000 pounds per annum each, and they ought to take care to send out those only who could perform their duty. It was an abuse of industry for any young man to attempt to learn the language in India. Unless he first attained an elementary knowledge in England, he never would become master of the language. (3) It was not the fault of the young men, however; they were blameless and innocent, but that of the system. It was of the greatest importance that officers going out to *command* in a foreign country should be well acquainted with the language of the Natives. (4) He would mention an instance of the service rendered to England by a British officer being able to pronounce the French language well. As General Wolfe and his party were going up the River St. Lawrence, they were challenged by a French sentinel, who was answered by a British officer in the French tongue, pronounced so well as to deceive the guard. Had that not been the case, Wolfe and his party would have been sacrificed. The consequence was, that Quebec and all Canada was ceded to England, *merely* because one English officer had learned French well. (5)

there are ten thousand chances to one,) the pistol may not be at hand to shoot the assailant, and it would hardly be deliberately procured for such a purpose.

(3) This is surely a mistake. It may be *better* that an elementary knowledge of the Indian languages should be acquired here, in order that when the cadet lands in India he may require the less time in perfecting himself in the language there. But, after all, the saving of time is the only advantage; for there is nothing in the climate or country itself to prevent a person acquiring as good an elementary knowledge in India as in England, with the advantage of being surrounded by persons speaking the tongue, with whom he comes into hourly conversation. If a person were going to reside, for instance, in France, it would materially facilitate his acquisition of the language in that country, if he took lessons for twelve months before he left England; because, on landing, he would be better by twelve months' study, than one who, at the time of his landing, should never have learnt anything at all. But no one would say, that if the same twelve months given to the study of French in England, had been passed by the same individual in studying the language in France, he would not have made at least *as great* a progress in the knowledge of its vernacular tongue: most persons, indeed would think a *much greater*. If the terms were to be reversed; and one were to say, that unless a Hindoo acquired an elementary knowledge of English before he quitted Hindoostan, he would never become master of the language by studying and speaking it in England, he would be thought to utter an absurdity; and yet, to our humble apprehension, these cases seem exactly similar.

(4) No doubt; but officers do not go out to *command*, without first passing years in the service (as they well know to their sorrow) in subordinate situations, in which, with moderate application, it is quite possible to acquire as complete a knowledge of Hindoostanee as ever could be attained in England.

(5) This is a common fallacy of mistaking an *accident*, as the schoolmen call it, for a *cause*. The passage of the post was not interrupted, from the confidence of the sentry that the party were French; but this consequence was not inevitable. Had it been by day, or had any other sentry been more curious in prolonging his scrutiny, no knowledge of French, however perfect, would have carried them through. Besides which, as any person might answer a challenge, a French servant, or an English private, would have done as well as the officer to make the response. If the former had been used, it would be an argument to show the value of having natives of Hindoostan as servants, to answer in the proper tone and accent to challenges from the enemy; and if the latter had been substituted, it would have been as good a reason for insisting that every private soldier in the King's regiments should, before they left England, learn the language of every country in

That one fact was worth a thousand, Were the Duke of Wellington to propose that Germans and Frenchmen, who could not speak a word of English, should be appointed as British officers, would such appointments be permitted to remain? (54) He said certainly not. Then what was the difference between such a case and the conduct of the Directors? They were sending out to India hundreds of young men as *Commanding Officers*, who could not call, in the language of the country, for bread to eat or water to drink—or for claret, if they preferred it. (6) He had always found, however, that the poorer class of cadets were the most industrious, either from their good sense or from necessity; but those belonging to the aristocracy or great people were the most idle. The great want of a knowledge of the language among the old officers was lamentable. He should like to have a few of them under his hands. When he went to India, he sat down very early to study the language, and, in the course of his studies, he met with the word —, which signified to blow. The peculiarity of the pronunciation attracted his attention, and he bestowed a good deal of time upon its acquisition. In a few days afterwards, he was invited to dine with a Colonel of the army. After dinner he was greatly surprised to hear the officer turn round and call out to his black servant, 'Funk, you rascal, Funk.' He intended to say —, meaning to command the servant to blow, in order that he might smoke. And this was an old officer of the army. (7) But the young cadets were sent to India on the supposition that they would learn the language there. Would the

which they were sent to serve. But it is not correct to say, that all Canada was ceded to England *merely* because one English officer had learnt French well. It was because the English generals and troops were superior to those against whom they were engaged, not in their philology, but their fighting, of which there were some severe trials, and in the principal of which, General Wolfe, and hundreds of other brave fellows, fell, beyond all the power of good pronunciation or accent to save them.

(54) There have been repeated instances of German and Italian officers serving with British troops in the Peninsular wars with very imperfect knowledge of English: and whole corps of both acting with British troops, is as common an occurrence as English privates, both soldiers and sailors, serving with Hindoos in India, with the most imperfect knowledge of the language of each other. They gradually learn it, however, by the mere progress of intercourse, and the difficulties thus daily diminish.

(6) We do not believe that any cadet or writer ever landed in India without knowing how to call for bread and water in the Native tongue: and as to claret, horses, dogs, women, and other luxuries, there is not a cadet who has been a week on shore that does not know perfectly, not merely how to call for them, but where to procure them each of the best, and in a month to drive his own bargain for either, without the aid of an agent, if secrecy be required. The Court do not send out *Commanding Officers*, when they send out cadets; but, supposing them to be even more ignorant than they are when they land, they must pass fifteen or twenty years in the country before they can ever command a company; and it is well known that in three years, if the disposition exist, and the inducement be sufficient, the means are to be found in India of attaining sufficient proficiency in Hindoostanee to perform all the duties required.

(7) It is, perhaps, fortunate that Dr. Gilchrist has adverted in this pointed manner to his own early studies: because, without being deemed unnecessarily personal, one may safely ask, had the Doctor any elementary knowledge of the tongue taught him in this country before he went out? We should presume not; as at that period (some forty years ago) institutions for teaching it in England were not common, if at all in existence. No one denies, however, that he is the most proficient and distinguished Hindoostanee scholar living. But, if, as he before asserted, no man who does not get his elementary knowledge of the tongue in England, can ever become master of it in India, how has he been so eminently successful in so doing? This one fact is an irresistible answer to all the previous questions.

Duke of Wellington be allowed to appoint foreigners as officers in the British army on the faith of their learning the language by and by? (8)

He was well aware that the exposé of abuses was always treated as a tithe; but he should continue to point out abuses wherever he found them to exist, for he knew that without perseverance no errors could be reformed. He was a reformer of abuses wherever he met them, and he was likely to enjoy good company. The late Duke of York had been a reformer, and was called the friend of the soldier. He thought, too, that the radical reformers were likely to have their day; for the Macsycophants of the Holy Allies designated, as an arch-radical, a statesman who had more ready wit than all the Arch-Dukes, Arch-Bishops, and Arch-Deacons of the Apostolic party. The hon. Proprietor then proceeded to comment at considerable length on the character and services of the late Duke of York, when

Mr. PATTISON, who filled the chair during the temporary absence of the Chairman, suggested to him the propriety of coming as soon as possible to the business of the day.

Dr. GILCHRIST said he would endeavour to follow the hon. Director's advice. It had taken him six long weeks to get nine names to the requisition for calling the Court. (*Hear, and a laugh.*) Several of the Proprietors to whom he applied objected, on the ground that they expected favours from the Directors, which they would run the risk of losing by coming forward as requisitionists; but no person refused on the score of any impropriety in the propositions themselves.

He now came to the first of his propositions, which the Court would see adverted to the necessity of every servant of the Company having at least a colloquial knowledge of the Hindoostanee language. To prove the advantage of acquiring this knowledge in this country, the learned gentleman quoted the opinions delivered by Professor Lee, the Rev. Mr. Townley, and other eminent individuals, at a meeting of a Language Society. Professor Lee declared that the rudiments of any foreign language could be *better* acquired in this country than in that where the language was spoken; (9) he added, that he knew from his own experience, that this was particularly the case with respect to the Oriental languages. (10) The Rev. Mr. Townley, who had been in India, said that the Native teachers were not accustomed to take any pains with their pupils. (11) An hon. Proprietor whom he saw in Court (Mr. Trant) was present at the meeting in question, and could vouch for the correctness of his statement of what had occurred.

In considering the second proposition, it was necessary to show that there

(8) There would not be the least harm in their appointment as cadets, provided it were accompanied with a regulation that until the party was qualified to pass a public examination in the language, he could not enter on his duties or receive his pay. As to whether he learnt it abroad, or in the country, it would be of no importance whatever; it would be sufficient that when he joined his regiment he should understand enough of its language for all regimental purposes; and after this, his promotion might be made to depend on still higher qualifications for the higher rank to which he might be advanced.

(9) We confess we do not see how this is possible, unless it be that in this country we have professors able to teach every foreign language better than the professors of other countries can teach their own; which may, we think, be doubted.

(10) If this be true, an order should immediately issue for all Natives of Hindoostan to be sent to England to learn Hindoostanee; while Englishmen might, with perhaps equal advantage, be sent to Japan to study their mother tongue.

(11) Here is a reasonable explanation of the difficulty; but it is one that may be as easily removed; namely, by sending out to reside in India, and teach the language there, the professors who are so competent to teach it here, if there are no such professors in India already; and there can be no doubt but that for proper rewards, abundance of such teachers may be provided.

existed in this country the means of acquiring an elementary knowledge of the Oriental languages. There were many establishments in different parts of the kingdom in which the Oriental languages were taught. One was in Leicester Square, and he devoted one day in the week to the examination of the pupils there. One of the managers of this establishment was a gentleman whose name was well known in that Court, he meant Mr. Sandford Arnot, who had resided long enough in India to acquire a competent knowledge of the Native languages. He was happy to find that Mr. Arnot's case had been taken into consideration by the Court of Directors, and that he had received the sum of 1,500*l.*, as a small recompence for his sufferings. Mr. Arnot, he understood, owed that favour to Mr. Marjoribanks, and he was now endeavouring to obtain a livelihood by teaching the Native languages. He (Dr. Gilchrist) had given up that department entirely to Mr. Arnot. Besides Mr. Arnot's establishment, a knowledge of the Eastern languages might be obtained in the London University, which was to have an Oriental Professorship. He was also given to understand that Mr. Mortlock, a gentleman recently arrived from India, intended to open an establishment in London for teaching the Native languages. In the Edinburgh Naval and Military Academy, the Persian, Hindoostanee, and Arabic languages were taught. Now this being the case, it could no longer be contended, that there did not exist in this country the means of acquiring a knowledge of the Native languages of India. (12)

The third proposition would, he was aware, be met by many objections. Amongst other things, it would be said, that the effect of it would be to impose an expense upon free merchants and mariners which perhaps they could not well afford. The expense attending the acquirement of an elementary knowledge of the Native languages was not very great; it did not exceed 10*l.* Now a free merchant was compelled to pay in that house 30*l.* for his indenture, and to find securities to the extent of 2,000*l.* A free mariner paid 3*l.* for his indenture, and found securities to the amount of 500*l.* When they were compelled to pay so much already, the addition of 10*l.* for so useful an object would not be felt as a very heavy burden. (13) It might, however, be said, that the popular language of India was not Hindoostanee, but composed of many provincial dialects. He would admit that it was so, it was the case in all countries. In the three kingdoms which composed the British empire there were many provincial tongues—Welsh, Gaelic, Irish, Manx, &c.; but would it therefore be contended, that it was useless for a foreigner about to visit England to learn English as it was spoken in the capital? (14) A person who went out to India with an analytical knowledge of the Hindoostanee

(12) If Mr. Arnot, Mr. Mortlock, and other individuals similarly qualified, were permitted to establish themselves as teachers of Hindoostanee to Cadets and Writers on their first arrival in India, what could prevent them from doing as much justice to their pupils there as here?

(13) The expense of learning the language must be nearly the same in either country, and could hardly ever be urged as an objection. But as no merchant can transact business with advantage, and no free mariner obtain employment as a captain, without being acquainted with the language of the part of India in which they act, their *interest* is a sufficient motive to impel them to learn, which, in point of fact, they speedily do, all that is necessary to their respective purposes.

(14) And yet, it is just as unreasonable to ask for a regulation preventing free merchants or mariners from visiting India, until they can understand the languages spoken in it, as it would be to bring in an act of Parliament to prohibit Englishmen from going into the Highlands of Scotland, the bogs of Ireland, or the mountains of Wales, until they could speak the respective languages or dialects of these countries; for India is as much a dependency of England as the Isle of Man; and Hindoostanee is no more necessary to a merchant or a mariner in the one, than Manx is to a resident in the other.

language, might learn *all* the provincial dialects which it would be necessary for him to know in three months. (15)

With respect to the fourth proposition, which enforced the necessity of subjecting the young men destined to hold situations under the Company to public examination as to their proficiency in the knowledge of the Eastern languages; it had, in some degree, he understood, been anticipated by the Court of Directors, but he was ignorant of the nature of the regulations which had been framed on the subject. (16) Whilst on this topic, he could not help expressing an opinion, that in the examination of young men who were not students at Haileybury, too much importance seemed to be attached to their knowledge of Greek, Hebrew, and Latin. He had always found that the more a man knew of Greek and Latin, the less he possessed of common sense. (17) Amongst the Latin authors in whose works the young men were to be examined was Juvenal, and a more improper writer could not be placed in the hands of a lad proceeding to India, since Juvenal's Satires place the character of human nature in the worst point of view. He saw that, amongst other things, the young men were to be examined in the principles of grammar. Now he should be glad to know, whether that provision alluded to English grammar, or to the grammar of the Greek and Latin languages. If the former, the examination would be very useful; but if it applied only to the latter, then it would be of very little service.

The calculations which he had made (having reference to the fifth proposition) of the annual expense of the present system of Oriental education patronised by the Company, were necessarily hypothetical, because the Court had refused the accounts which had been moved for by Mr. Hume. Still, however, he believed it would be found that he had rather underrated than overrated the expense.

Little needed to be said to recommend the sixth and last proposition to the

(15) This may be doubted; but, at all events, one who had acquired his analytical knowledge in India would make just the same rapid progress afterwards, as if he had acquired it in England.

(16) This single regulation, for submitting all candidates to the test of a public examination, and deferring their enjoyment of rank or pay till competent to pass the examination successfully, if conducted on proper principles, and with due securities for impartiality, really seems to us to be all that is required to attain the end in view. Let all public servants be qualified before they are rewarded; but *where* that qualification can be best obtained, is a question which the parties interested may be safely left to determine for themselves.

(17) Much as we have observed that is untenable in Dr. Gilchrist's speech, we have seen nothing so entirely opposed to history and experience as this. It might have been doubted whether, in modern education, the study of the Greek and Latin languages did not occupy a disproportionately large share of the pupils' time and attention. But while such men as Bacon, Locke, Milton, Gibbon, Jones, Bentham, and many others who might be named as ranking among the brightest ornaments of the philosophy and literature of England, have their works on imperishable record, many of their productions being written in Latin, and all of them largely indebted to the sources opened to them by the Greek, we cannot imagine the process of induction by which any one can arrive at the conclusion, that in proportion as a mind is stored with a knowledge of Latin and Greek, two of the finest languages that ever existed, and containing more literary and philosophical truth and beauty than all other languages ever yet heard of, it must be destitute of common sense! We really wish that this sentence had never been uttered: but, as we could not suppress it from our report without violence to its truth, so we endeavour to assuage the pain inflicted on our feelings from publishing it in print, by the indulgence of a hope that the sentiment is not really maintained to the extent expressed.

favourable consideration of the Court. It was but reasonable that the Company should require lists from candidates of their qualifications for executing the duties of the offices to which they aspired; but there should be no distinction made as to the seminary in which the candidates had been instructed. It mattered not that a young Scotsman, educated in his own country, should pronounce Greek or Latin with the Scottish accent; indeed, such was the manner in which those languages were pronounced all over the Continent, that an Englishman speaking Latin would not be understood there. He might be excused for relating an anecdote which bore upon this point. Shortly after the conclusion of the Duke of Marlborough's campaigns, a German, an Englishman, and a Scotsman, met together at an inn in Germany. The Englishman, intending to congratulate his companions on the restoration of tranquillity, said, '*Sunt-re omnia pacata in Germania.*' To which the German replied warmly, '*Multa sunt in Germania peccata sed spero non omnia.*' A quarrel was about to ensue, when the Scotsman restored good humour, by explaining the mistake.

The learned Proprietor then read several long extracts from the 'Tuitionary Pioneer,' and other works, to prove that most of his pupils who had proceeded to India had been extremely successful in passing their examination, and obtaining the situations of interpreters. After some general remarks in support of his propositions, he concluded with moving, 'That the six propositions this day under discussion are earnestly recommended for immediate adoption by the executive body, and to be carried into effect with the least possible delay, if found on due inquiry to be perfectly practicable, in all or any of their provisions, for the common good of the Company, and the permanent welfare of India; (18) and that the executive do communicate the result to their constituents at the first quarterly meeting, in order that such ulterior proceedings may be adopted as to the Proprietors shall seem indispensable.'

Colonel STANHOPE seconded the motion.

The CHAIRMAN said, that as so much time—a period of not less than four hours—had been already occupied by the learned mover in introducing his motion, he thought he should best consult the wishes of the meeting by making his observations as brief as possible. Indeed, it would require but very little time to show, that the object of the Directors had been to give every encouragement to the promotion of the study of the Hindoostanee language among the servants of the Company. But the Directors wished to gain that object rather by encouragement than proscription, which the resolutions of the learned Proprietor would have the effect of introducing, if strictly adhered to. He gave credit to the learned Proprietor for his zeal on this occasion, but he feared that, like other enthusiasts, he suffered his zeal to overcome his judgment. He would now read to the Court the regulations which had been adopted by the Court for the examination of officers in the Hindoo languages, before their appointment to situations where such knowledge was absolutely required. The hon. Chairman then read the regulations, from which it appeared, that no officer going out to India should be placed on any staff appointment until he had spent a certain time on duty with his regiment. From this, however, were excepted those officers who were qualified to act as interpreters. The other regulations were, that no person would be allowed to act as interpreter, until he had been examined by a board

(18) How long will this fatal error continue to pervade all the speeches made by speakers on both sides of the India House Court? The 'common good of the Company,' is in the preservation of its exclusive monopoly. The 'permanent welfare of India,' is only to be effected by that monopoly being destroyed, and the country thrown open. The two things are as incompatible as the existence of despotism and freedom; and cannot co-exist.

of old and experienced officers, fully competent to discharge that duty, as to his knowledge of the Hindoostanee, and his capability of translating the general orders and military regulations into that language from English. He would admit to the learned Proprietor, that the sooner any or all of the Company's servants in India acquired a knowledge of the Hindoostanee language, whether by instruction here or there, the better; but he would contend that, if no others were sent out but those who were qualified here, it would be impossible to supply their establishments abroad with a sufficient number of officers. The establishments in this country, where the language was taught, would be altogether insufficient to afford the regular supply. Besides, it would be found extremely difficult for the friends of persons intending to go out to India from England, Scotland, and Ireland, to send them to those establishments which the learned Proprietor had mentioned. The regulation which would oblige them to attend at those places would amount to a proscription of many young men who were otherwise well qualified to become active and useful servants of the Company. They had for years gone on in the Company's possessions, which he regretted to say were in extent of territory much greater than he could have wished, but in that great extent we had gone on without ever finding any deficiency of duty in our civil or military servants from the want of their having been instructed at home. Under those circumstances, he thought the motion before the Court inexpedient, and he would therefore move an amendment—

‘ That, in the opinion of this Court, it is wholly unnecessary and inexpedient to adopt the proposition now before the Court, as due attention has been paid by the Court of Directors to the subjects therein mentioned, and that therefore it would be better to leave the question to the discretion of their Executive.’

Mr. PATTISON seconded the amendment.

The CHAIRMAN said he had omitted to call the attention of the Court to an extract of a letter from Sir T. Munro, in which he observed, that too much importance was attached to the knowledge of the Hindoostanee language, and his satisfaction that a motion for requiring an examination of cadets in that language before they left England had been negatived.

Captain MAXFIELD supported the original motion, and observed, that it was notorious that not one officer in ten in the Company's service could interpret the articles of war.

Colonel LUSHINGTON observed, that the articles of war were translated, and read frequently to the troops, (and in a subsequent explanation, he added,) and were so simple, that he did not believe there was one officer in one hundred who could not translate them.

Mr. HUME would trouble the Court with a very few observations. It seemed, that there was a great deal of pains taken to mistify the question, by narrowing its operation to the Interpreters. The Chairman had admitted the advantage that would result from the officers having an elementary knowledge of the Native languages. That admission, was an admission of the whole question. He thought, that the Court of Directors were in honour bound to follow up that declaration, unless they found that they could not effect that good. The Hon. Chairman had stated, that he saw no reason to complain of inefficiency of the officers to perform their duty, either civil or military, as every thing they had undertaken had been attended with success. That was only saying, that success had crowned their efforts in spite of their inefficiency, and it now remained for the Directors to qualify every individual in their service. It was in spite of the ignorance of the officers that all the good had happened. That was the argument of the Hon. Chairman. He was satisfied that nothing was wanting; that the ignorance of the language had done

all the good. (19) He would put it to any individual, whether he would select a person to go to Spain, ignorant of the Spanish language? Would he allow a man to go to France, incapable of doing his duty, from ignorance of the language of the country? Would he send over a man to France, to learn the language there? (20) Let that reasoning be compared with the reasoning of the Hon. Chairman. The same rule applied for the benefit of this Company as for the interest of an individual. He was sorry to hear the term 'enthusiast' applied to his learned friend near him, who had done more good to India than any other person. When he first went out to India, he recollected that there were only two books there upon the language of the country, namely, Hadley and Ferguson's Jargon, until his learned friend produced his book, which no man had since been able to improve. (21) All the great difficulties in acquiring the language were overcome, and he wished the author had met with a better return than he had received. No man could say that his learned friend was influenced by personal interest. Since his return from India, the whole course of his life had been devoted to the good of that country, without gaining one farthing: he did not account the small allowance made to him as any thing, when he saw professors getting 3000*l.* to his 200*l.* or 300*l.* His services stood unrequited and unvalued, and the India Company had acted most ungratefully towards him.

He was greatly surprised at the impatience of the Court at the speech of his hon. friend, on such an important question. He thought some little allowance might have been made, if his speech had been even longer than it had been. (22) He was greatly surprised, too, at the levity with which the Di-

(19) The statement of the Chairman, as it appears in the report, does not appear to us to bear this construction, as he simply says, 'we have found no deficiencies in our civil and military servants from the want of their being instructed *at home*;' the question not being, whether they should be instructed or not, all parties agreeing in the affirmative—but *where* they could be *best* instructed—in England or in India.

(20) The answers to these questions depend entirely on the circumstances attending them. If a young man were intended to be sent to France to enter the French army—supposing him to be sixteen years of age, and he was not to be called on to join his regiment and do duty till he was eighteen—we have no doubt but that if he were to pass the two years of interval in studying the language in France, he would be much better qualified at the end of that period than if he had spent the same two years in studying the French language in England. And if true of France, we cannot imagine why it should not be equally so of India—or of any other country under the sun.

(21) How happened it then, that without books, or teachers, or institutions, to give elementary instruction in Hindoostanee, either in England or in India, Dr. Gilchrist nevertheless became the greatest Hindoostanee scholar of his day? By that which would place any other equally talented person in the same distinguished position—personal energy, application, and perseverance.

(22) The objection is rarely or ever to the mere *length* of a speech, though that itself is an evil when it extends to more than four hours: But impatience is, and always must be, excited when so large a space of time is occupied in proving, what, if susceptible of proof at all, might be proved, and even largely illustrated, in less than one-fourth of the time. What patience does it not require to sit out an oratorio, a play, a pantomime, or any other lengthened entertainment, when it exceeds four or five hours? The most enchanting opera ceases to charm, if extended to three. All the beauties of Shakspeare will not keep an auditor in his seat longer than two. The most popular lectures on the most popular topics, rarely extend beyond one. And a sermon, even from the tongue of an angel, would be thought dull, if it exceeded the orthodox limits of even *half* an hour. What charms, then, of wisdom, of eloquence, of truth, of beauty, of novelty, of force, ought an orator to entwine around his sentences, to make them acceptable to the judgment as well as the ears of his auditors, when continued in uninterrupted succession for four hours and more? Of all the mistakes committed by public

rectors had treated the question. It was one of the strongest cases ever submitted to them, and amounted, in fact, to an impeachment of their conduct, and was not a subject that they ought to blink.

In looking over the history of cadets for twelve years, he found that the number amounted to 3174; and instead of every one of them being qualified to perform the duties he had to perform, only 422 had attended the college at Addiscombe. It was not to be wondered at, then, that they made no advancement. Admitting that the whole of the 422 who had attended the college were qualified, yet what a state must the army be in, when out of 3174 young men, 422 only had had an opportunity of getting qualified. Could the Court of Directors show him that they had manifested any anxiety upon the subject? He held in his hand a resolution of that Court, of the 7th of March 1823, in which it was recommended, that every individual going out should make every endeavour to qualify himself, both in his professional acquirements, and in the acquisition of the language of the country; and that in case of failure, the person was liable to be dismissed the service. Had the Court of Directors carried that resolution into effect? It was not the case. They therefore gave up the duty which they ought to perform. Nothing but proscription, as the hon. Chairman called it, namely, that no individuals should receive appointments unless qualified; nothing but that would do. The hon. Chairman says he does not like a system of proscription. Then why does he allow such a system to operate against naval officers and medical men? Why should it be suffered in one case, if not in another? But there was another objection against the proposition, that if qualifications were required from the young men, the Company would not find enough to fill its situations. Let the Court of Directors follow the example of Mr. Wynne. Let cadetships be given as prizes at Oxford, at Cambridge, in Scotland and in Ireland, and the Directors would find their offices performed by men who would do honour to their service. (23) Let not the difficulty of finding young men to fill the situations be held up as an objection. He would advise the hon. Chairman to look at the opinion delivered by every man connected with the Missionary Society, that unless some elementary knowledge was previously acquired in this country, it would be in vain to expect to gain it in India. The Proprietors were not doing their duty to India, to themselves, or to the officers, in permitting them to go out ill qualified.

He must confess he never heard such an amendment as had been put to them that day. The Chairman produces an amendment in praise of himself, and the Deputy Chairman seconds that amendment, which states, that they had done their duty, and that nothing more could be done. (24) He hoped that

speakers, and they indeed are many, there is none more fatal to their own reputation, or more destructive of the ends they profess to have in view, than this attempt to storm the ears and hearts of men by a battery of words maintained in an interminable fire. Conviction never was so secured; persuasion never *could* be:—and a course which can neither convince nor persuade, is hostile to good oratory, and destructive of its only use.

(23) As long as this patronage is *worth* any thing, Mr. Hume may be sure that it will never be *given* away. It is the only thing for which the Directors seek their places: and to give away their all would be too much virtue to expect from any set of men. Mr. Wynne's *single* writer-ship to his own school, Westminster, is no great sacrifice for one who has so many; and even this is sufficiently paid for in the personal consideration it obtains him. When he distributes *all* his writer-ships and cadetships to public institutions, he may have the praise of preferring public good to patronage: but that is not likely soon to happen. Let the India Proprietors, however, in whose hands virtually the fate of even the Directors is, reclaim this power of giving writer-ships, &c. for themselves, and then throw it open to the public. The Directors will never do it.

(24) This is so far from being *rare*, that whenever a motion is made reflecting

the day was not far distant, when the Court of Directors would adopt the plan, which was so simple, of declaring that such and such qualifications were necessary and indispensable. The hon. Chairman had said, that his learned friend had enumerated only three or four places where Hindoostance was taught; but he could assure him, that instead of two or three, there were as many as 30 or 40. The whole question, he thought, amounted to this, whether the officers ought to learn the rudiments of the language in this country or in India? (25) Upon that point he had already stated his own opinion, and to this he still adhered.

Mr. S. DIXON, Mr. CARRUTHERS, and Mr. TRANT spoke against the original motion.

Dr. GILCHRIST shortly replied; after which the original motion was put and negatived, and the amendment was carried by a considerable majority.

The CHAIRMAN then called the attention of the Court to another subject, for which the Court had been made special, viz. 'for the purpose of laying before the Proprietors, for their approbation, in conformity with the 17th section of the 6th chapter of the by-laws, a resolution of the Court of Directors of the 10th ult., appointing an assistant in the medical department at the Company's dépôt at Chatham, with a salary of 300*l.* per annum, and an allowance of 40*l.* per annum for house rent.' The resolution of the Court of Directors, appointing Mr. Robert Elliot, surgeon of the Company's marine, to the situation, was then read, and it was moved, that it be adopted, which, after some slight discussion, was carried in the affirmative.

THE PRESS IN INDIA.

Colonel L. STANHOPE gave notice, that at the next general Court he would submit the following motion:—

'That as the King of England's most upright and learned Chief Justice, Sir Edward West, and his Majesty's Judges, Sir Ralph Rice and Sir Charles Chambers, have declared in open Court at Bombay, that the licensing of the press in that settlement is unlawful and inexpedient, and have, therefore, refused to register the Calcutta regulations; and as no Censor existed during the rule of Warren Hastings, Lord Cornwallis, or Sir John Shore; and as the Marquis of Hastings, after having beat down the Mahratta confederacy, did, on his triumphal entry into the metropolis, sacrifice the upstart monster, and set the public mind at liberty; and as Mr. Canning, when President of the Board of Control, prevented shackles from being again fastened on the press, and was thanked by this Court for his wise administration; and as no legal restraints on writing, under either Native or European Governments, were ever, till of late, enacted, except under the frightful Inquisition at Goa, this Court doth implore the Court of Directors not to extend this base monopoly over the mind, this curse, to Bombay. By enthroning the licenser in that

censure on the Directors, they *never fail* to make an amendment, voting themselves innocent and honourable, and commending the excellent manner in which they perform their duty. A dozen such instances at least have occurred within our own recollection.

(25) If this were the *whole* question—and we agree with Mr. Hume in thinking that it was—then, so far from a speech of four hours being necessary to prove the superiority of the one to the other, it might have been more intelligibly and successfully done in forty minutes, or even less. The evil, however, is not merely confined to wearying the hearers of it, but its length prevents it also from being read: for many who would peruse a speech or a debate of a few pages on any subject to which they were even indifferent, turn with terror and dismay from pages heaped on pages, and filled with small print, to which there seems no end, and of which they cannot, therefore, muster up sufficient courage to attempt even the beginning.

Presidency, they would make Great Britain guilty of the inconsistency of depriving 100,000,000 of her own subjects of a blessing which she has promoted in Portugal and in South America.'

WAR BETWEEN RUSSIA AND PERSIA.

Colonel L. STANHOPE also gave notice that at the next general Court he would submit the following resolutions:—

'1. That England, by the treaty of Gulistan, and by abandoning the wise measures of Sir J. Malcolm, in training a portion of Persia's troops to discipline, and placing her fortress's and passes in a state of defence, has laid that country open to the all-powerful legions of Russia.

'2. That Constantinople, on the Asiatic and defenceless side, is thereby endangered; and British India, unsupported by the talents, the loyalty, and the valour of colonists, and having no public, could with difficulty oppose with her valiant Sepoys the simultaneous, persevering, and wide-spreading attack of a swarm of Cossacks, Persians, Seiks, Mahrattas, and Burmese, backed by a small corps of infantry and artillery, which would find magazines, fortresses, cannon, and gold on the field of their exploits.

'3. That though the conquests of Russia, from the germ of improvement contained in her institutions, might be advantageous to the Asiatic world in its present backward and stationary condition; yet, to civilized Europe it would prove fatal, because her Governments and society would sink to a level with the preponderating power, and insure to her a dark futurity.

'4. That under these circumstances, this Court of Proprietors earnestly recommends the Court of Directors to consult his Majesty's enlightened Ministers as to the military and diplomatic course which, in concert with France and Austria, they should pursue to check the march into Persia of the hardy soldiers of the good and active autocrat Nicholas.'

The CHAIRMAN said, that undoubtedly the hon. and gallant Colonel, or any other proprietor, had a right to submit any motion he pleased; but he thought, as his object was, no doubt, to do good, the gallant Colonel would see, after some consideration, that the motion of which he now gave notice would be extremely injudicious.

Colonel STANHOPE said, he would, under this suggestion, reconsider the subject, and state his decision at the next Court. In the mean time the motion would stand as a notice.

BURNING OF HINDOO WIDOWS.

Mr. POYNTER gave notice, that at the next general Court, he would submit the following motion to the consideration of the proprietors:—

'That this Court, taking into consideration the continuance of human sacrifices in India, is of opinion that, in the case of all rites or ceremonies involving the destruction of life, it is the duty of a paternal Government to interpose for their prevention; and therefore recommends to the hon. Court of Directors to transmit such instructions to India as that Court may deem most expedient for accomplishing this object, consistent with all practicable attention to the feelings of the Natives.'

The Court then adjourned at nearly seven o'clock.

SUMMARY OF THE LATEST INTELLIGENCE CONNECTED WITH
THE EASTERN WORLD.

THE wind has remained adverse to arrivals of ships from India during the whole of the past month: so that we are still unable to communicate any intelligence of a later date than August from Bengal, September from Madras, and the early part of October from Bombay. It is probable that before the sheets of the present Number are dry, if a change of wind should take place in the interval, there will be, at least, a dozen ships in from different parts of India, with intelligence of two or three months later date from each of the Presidencies: but we have done our utmost in waiting until the latest period at which our pages can be kept open, and unfortunately, in the present instance, without avail.

Without any very recent arrivals from Bengal however, there has been time for a certain fact, which was but vaguely understood before, to become more distinctly as well as more generally known: we allude to the unqualified resignation of the Government of India by Lord Amherst. This is now placed beyond a doubt; and public speculation has been accordingly directed toward the nomination of his successor. The much greater changes occurring, and expected to occur, at home, from the death of the Duke of York, and the illness of Mr. Canning and Lord Liverpool, have, however, absorbed so much of the floating curiosity of the multitude, that in the midst of opposing interests and opinions on the probable changes in the Cabinet, the Governor-Generalship of India has been almost entirely forgotten. His Grace the Duke of Buckingham is, we believe, as anxious as ever to be the successful candidate: but he does not enjoy the cordial support of the Directors, for reasons detailed in previous Numbers of this work. The only other two individuals whom we think at all likely to be his competitors, are Sir Charles Stuart, the late ambassador to the Brazils and Portugal, and Sir Henry Wellesley, a brother of the Duke of Wellington: who, when his other brother, the Marquis Wellesley, was Governor General of India, held a distinguished post created for him in the Central Provinces, under the title of Captain-General, we believe; and exercising great political power, in accordance with his brother's views. As to the other high personages that have been named, we doubt not the first intelligence they themselves received of their being candidates for the distinguished post, was from the public papers themselves. Lord Melville might not, perhaps, have been an unlikely man, had he not already such ample fortune, power, and patronage, at the head of the Admiralty Board. Mr. Wyndham might have inwardly *desired* it, though he could hardly have ven-

tured to express that wish with any hope that it would be acceded to; and as to the Speaker of the House of Commons, who has been also named among the expectants of the vacant seat of power in India, it would be difficult, perhaps, to name an individual, who, with so much worth, would be so little likely to seek, or even to accept this honour, if it were attempted to be thrust upon him. The great pending questions now before Parliament, on the Corn Laws and the State of Ireland, and the equally important matters of arranging the changes in the Cabinet, will, however, no doubt, be first settled, before that of the Governor-Generalship of India be finally decided on: and until then, conjecture would be always liable to error.

We should be much more happy were we enabled to announce some change of *system* in the Indian Government, for without this, no change of men can effect half the good which it otherwise might do. So far, however, from the Government's becoming more liberal, and keeping pace with the progress of all other countries pretending to be civilized, it is absolutely retrograding, and in every succeeding year drawing the cords of bondage around their fellow-countrymen in India, tighter and tighter. We hear the present ministers of England continually praised by men of all parties for their liberal relaxation of the restrictions that impede commercial freedom; and when the East India Company's trading monopoly is mentioned, as a blot on the present policy of England, it is frequently retorted, by persons who know no better, that since a 'free trade' has been granted to all British subjects who wish to carry on a commercial intercourse with India, there is, in point of fact, no commercial monopoly of the East India Company existing, excepting only the exclusive trade with China, which every one expects to see abolished at the expiration of the present charter. How inaccurate, however, such a notion of a 'free trade' with all other parts of India, really is, may be seen from the subjoined proclamation or general notice of the Bengal Government, issued by the Vice President just after Lord Amherst had left Calcutta for a tour through the interior; and when, as he will be accompanied with his suite and guards, it might have been thought more safe than at any other period, to grant his fellow-countrymen the privilege of following his footsteps: unless, indeed, it was one of the principal objects of this proclamation to prevent these footsteps from being too narrowly watched by the prying eyes of European observers, which the time of issuing it, just as he was setting out on his tour, might justify us in believing.

The proclamation, or notice, is as follows:

'Fort William, General Department, the 4th of August, 1826.'

'It having come to the knowledge of Government, that Europeans are in the habit of visiting the Upper Provinces in the prosecution of commercial speculations, or for the temporary purpose of disposing of investments of

goods, without having obtained the previous permission of Government to proceed to the interior, notice is hereby given, that instructions will be issued to the magistrates of the several districts bordering on the rivers to stop *all* Europeans, whether British-born subjects or otherwise, and Americans, not being in the service of his Majesty, or in the civil or military service or employment of the Honourable Company, who may be *found* in the interior, at a distance of ten miles from the Presidency, and unprovided with a passport.

‘Applications for passports are to be made in writing to the Secretary to Government in the General Department, and are to contain the following particulars :—1st, the name and occupation of the person applying ; 2d, time of his arrival in India, and whether with or without a license from the Court of Directors ; 3d, the place or places to which the individual may be desirous of proceeding ; and, 4thly, *the general object of his journey*.

‘By command of the Right Honourable the Vice-President in Council,

‘C. LUSHINGTON, Chief Secretary to the Government.’

Here is a *new* sort of crime for a commercial people, like the English, to discover and denounce. In all other countries, a man who vested a large portion of his wealth in the manufactures of the parent state, and took them into the interior of a distant dependency, or colony, to sell,—thereby benefiting the manufacturers by increasing the consumption of their goods abroad, and benefiting the colony itself by taking off its produce in return—in almost all countries such a man would be considered a public benefactor ; but in British India, he is regarded as a criminal, fit only to be seized and transported, without trial, for the mere offence of being *found* in the interior of a conquered province of his own country, selling the produce of his own industry, or the commodity purchased by his wealth ! And this is called a *Free Trade* !! Any man may take his goods freely from England to either of the three great towns of India, Bombay, Madras, and Calcutta, to which, we believe, the small settlement of Tellicherry, on the Malabar coast, has recently been added ; but, unless he actually *belongs* to the crew or establishment of the ship that conveys him to India, he will be unable to reside for a single day on shore, *even* in these three towns, without being in the hourly commission of a misdemeanour at law, and liable to be seized and sent out of the country, as a felon, for having dared to commit the crime of being *found* in any part of the Company’s territories, without their *licence* to reside. Yet this is the ‘Free Trade’ of India !! It is in vain to say, that any man who applies may get such licence ;—even were that true, no trade can be said to be *free* that cannot be carried on without the licence or permission of a particular body. But it is *not* true : individuals are every year refused permission to reside in India, and those who go away from this country *with* a licence are no better off when they get there than those who have none ; since each may be equally transported without trial at the mere will and pleasure of the Ruler for the time being. Supposing, however, that residences in the three principal towns of India were not opposed, and that all who asked licences might get them, still, for

all commercial purposes, it must be clear that a free intercourse with the interior is indispensable to a free trade. The consumption of English manufactures by the population of these three towns, which cannot be greater than *one* million in the whole, is but a speck in comparison with the *hundred* millions of which the interior is composed. What is wanted to make trade free, is a right for every English trader, not merely to land his goods at the sea-ports of India, and then return home, but to accompany, either in person, or by his own chosen and confidential agents, his investment into the heart of the country, there to make advantageous sales of his own commodities, and advantageous purchases of those with whom he exchanges them for the produce of the country. The fact is, however, that no man, as we see by this proclamation, whether he has the Company's licence to visit India or not, can dare to go ten miles from its metropolis, for the most innocent and honourable of all purposes, without being liable to be seized and sent back by any officer of the Company's Government; and that, supposing him to possess a passport for the purpose, if he should object to any of the numerous and vexatious imposts and exactions which he will meet with at every Company's station on the way, still he is at the entire mercy of the parties making these exactions, as any refusal of entire submission would obtain him the character of a refractory subject, and both his passport to visit the interior, and his licence to reside in the capital, being within the power of the Government to withdraw, without notice, or even a reason assigned, he might soon be instantly deprived of both, separated from his property, sent bound as a prisoner to Calcutta, and there kept in durance till he could be safely banished from the country, under the keeping of one of the Company's own trusty Commanders. If this be the *Free Trade* of India—and we have not exaggerated a single feature of the case—what must be the ignorance, or the indifference, or the servility of the merchants of England, to receive such a freedom of commercial intercourse as a *boon* from the Government of this country? If they do not rouse themselves, to wipe out this stain from their independence, they ought never again to enjoy, for they will no longer deserve, the distinction of that proud appellation, the *independent* merchants of Great Britain.

The general news from Bengal is unimportant. Only a few paragraphs from Calcutta papers have been obtained through those of Bombay. One of these states, that the Burmese had objected to paying the second instalment of their stipulated tribute; and that, in consequence of this, Sir Archibald Campbell still held possession of Rangoon, and prevented the Burmese flag from being hoisted there.

It is added, in another paragraph, that Ensign Charles Wright, of the Company's third regiment of Native Infantry, had been murdered within the Kingdom of Oude, on his going to join his own

regiment at Lucknow. If the Indian Government would exercise some of their vigilance in pursuing and punishing the committers of outrages like these, instead of hunting down the harmless European trader who goes into the interior to sell his investment of goods, it would be more to their honour, and far more to the peace and benefit of the country.

The affairs of Bombay have occupied, of late, a very large, and, as some think, a disproportionate share of our space and attention. We are happy in being able to communicate, however, to our readers generally, that whenever and wherever we find matter deserving of public consideration, the particular quarter of India from which it comes is a circumstance that does not weigh a feather in the scale when the question is whether or not it should be printed. We have in our possession, at the present moment, some documents of equal interest with those we have already laid before the public, to which we shall give insertion in our next, with the comments we think they will deserve: but, for the present month at least, we shall allow the angry spirits of that little island some breathing time, in which they may recover a portion of the great waste of temper, to which the late exposure of their weaknesses and follies in England has subjected them. The '*Oriental Herald*' is, it seems, in no greater favour with those in authority, than was formerly the '*Calcutta Journal*;' and for the same reason, no doubt, because both speak the truth too plainly. The hatred with which the one was pursued by a certain party in Calcutta only increased its circulation and influence; and the fury with which the other is denounced by a party of the same class in Bombay, will as assuredly tend to the same end. It is very easy to reiterate charges of inaccuracy, perversion, garbling, falsehood, &c., &c.; but reiteration, unaccompanied by any thing but mere angry and high sounding words, is utterly powerless; and the good people of Bombay may therefore spare themselves the fatigue of such exertion, and preserve a cooler temperament, if only for the sake of their healths. As we shall return to the subject of Bombay in our next, we may then give an instance or two of their excessive folly and ludicrous irritability.

The only intelligence of great public interest that we find in the Bombay Papers, (and on the accuracy, of that who can rely? for if it were otherwise it might not be permitted to mention it,) is, that Colonel Macdonald Kinnier and suite had arrived at the Persian Court, and been received in such a manner as to give the strongest hopes of success in the great object of his mission. Nothing, however, is so fallacious as drawing inferences from modes and manners of reception at Oriental Courts, where the smile of the sovereign is often but the prelude to the bow-string. In the present instance it is not of so much importance to know what are the King of Persia's wishes and intentions, as it is to ascertain what are those of Russia; and how far, if hostile to India, the Persians can dare

to resist them. These are the main points to ascertain at present, and with these, Colonel Macdonald Kinnier's courteous or uncourteous reception, have little or nothing to do. We shall probably soon hear something decisive from other quarters on this subject, till when, we have no accurate materials from which to form a sound judgment on the matter.

The most recent intelligence from India is, however, of much less exciting interest to English readers, at the present moment, than the approaching changes in the Governments of India abroad, and in the Direction of their affairs at home. If the present Speaker of the House of Commons retires, which there is every reason to believe he will very shortly do, it is highly probable that Mr. Wynne will fill his place, and then there will be a new President of the Board of Control. That there will be a new Governor-General is certain. New Governors for Madras and Bombay have been actually appointed. There will be a new Chairman and Deputy in the East India Direction on the 5th of April next, and possibly also some new Director or Directors in place of the old ones of the House List, as Dr. Gilchrist has set the example, at least, of opposition to their re-election; while Major Carnac will be the new Director in lieu of Mr. Bosanquet, who retires after forty-five years service as a member of that 'venerable' body. Out of all these *new* things we hope some *good* ones will come; though, advantageous as we are sure some of the changes will be, we would rather see a change of *system*, with even the same men in power, than an entire sweeping of the whole conclave, with a retention of the same system by those who came after.

As the correspondence of Dr. Gilchrist with the Secretary of the East India Company is quite as *new* as the object to which it is directed, we record it here: and although we think it would have been better, if five other individuals had been associated with himself, to afford the Proprietary Body an opportunity of changing the whole six on the House List, if they saw fit; yet, as the principle of undisputed re-election to office, making a seat in the Direction almost perpetual, is decidedly objectionable, we should wish success to any man, whether he were the fittest or not, who had the boldness to oppose it. The correspondence is as follows:

' To Joseph Dart, Esq., Secretary to the Honourable the Court of Directors of the East India Company.

' Sir,

' The existence of what is emphatically termed THE HOUSE-LIST, for SIX NEW Candidates, at the annual elections in April, seems often, in my humble opinion, a mere prescriptive imposition, or self-selection of so many OLD Directors, as competitors for those periodical vacancies, whence a rule has been established, which would be much more honoured in the breach than in the observance. This practice having no foundation either in any Act of Parliament or by-law, so far as I have yet been able to discover, will, I hope, be boldly opposed in future by all those independent East India Proprietors, who with me shall deem so *cunning a device* one of the most powerful engines of

corruption for sacrificing the various interests of the constituent body to a chosen few of their own representatives, who thus contrive to monopolise, for an indefinite time, with a short intermission only, six seats in the Executive Court, which ought to be so far left open, every year, as to admit any six members with adequate stock, talents, and integrity *indiscriminately*, from the whole of the Proprietors.

‘Under these circumstances, it is my intention, at the first and *every subsequent* annual election, so long as I live in the enjoyment of my present privileges, to offer myself in opposition to the House List; and I shall, with pleasure, either follow or lead any other candidates, on all occasions, whose objects and sentiments may prove congenial with those expressed in this address.

‘Permit me here to quote from page 341, of Mr. Auber’s valuable Constitutional Analysis of British Indian Affairs, one most important by-law respecting the subject in question, entitled, ‘Votes obtained by indirect means render incapable of office,’---‘That if any member of this Company shall, by menaces or promises, collusive transfer or transfers of stock, by any fee, present, reward, or remuneration, under the plea of defraying travelling expenses, or under *any other plea or pretence whatsoever, directly or indirectly* obtain or endeavour to obtain *any vote for the election of himself or any other to be a Director*, and be declared guilty thereof at a General Court, to be called for that purpose, such person shall be incapable thereafter of holding any office, the qualification for which is subject to the regulation of the General Court, and *if a Director*, be further *liable* to be removed from his office.’

‘Success or defeat in an enterprise of this extraordinary nature must be matter of trivial moment to an honest man, who is aware, that although he may sooner or later *deserve* the smiles of fortune, he never can *command* them, either as a *visionary enthusiast*, or a sober reformer of *vested* abuses, to which blind prejudice, founded on prepossessions alone, can give even the semblance of legitimacy. Have the goodness to acknowledge the receipt of this official notification, with as little delay as possible, that I may have an early opportunity of submitting my claims, as one aspirant in this eccentric manner for the Direction, to the deliberate opinion and unbiassed suffrages of the East India Stock Proprietors, both in their collective and individual capacities. I have the honour to be, Sir, your very obedient Servant,

‘JOHN BORTHWICK GILCHRIST,

‘11. Clarges-street, 8th Feb. 1827. A qualified Proprietor of India Stock.’

‘To John Borthwick Gilchrist, Esq. LL.D. &c. &c. &c.

‘SIR,

East India House, 14th February, 1827.

‘I had the honour yesterday of receiving your letter dated the 8th inst.; and I am directed to acquaint you, that the intimation therein given, of your intention to become a Candidate for the Direction, at the annual election in April next, will be duly attended to. I have the honour to be, Sir, your most obedient humble Servant,

‘J. DART.’

This correspondence took place before it was known that a vacancy, by resignation, was likely to happen. But with this it will not, of course, interfere; as the large number who stand pledged to support particular candidates, in the event of such vacancies, would preclude any hope of success in one who should come after them into that field of competition. The announcement of the retiring Director, and of the excellent Candidate who will, no doubt, succeed in his ambition to fill his place, will complete the record of

what are called Home Affairs, till more stirring times, and more important struggles, cast these again into the shade.

' To the Proprietors of East India Stock.

LADIES AND GENTLEMEN,—A period of nearly five-and forty years has elapsed since, by the favour of your suffrages, I was first chosen a Director of your affairs.

Shortly after I became a Member of the Executive Body, that memorable contest took place which ended in the rejection of a Bill, having for its object the annihilation of the Chartered Rights of the East India Company.

I reflect with satisfaction on the part which I took on that occasion, and I have honestly endeavoured, throughout the course of my subsequent service, to maintain, unimpaired, the privileges which were then secured to us.

After such a lengthened term of active life, I feel that my health will no longer permit me to discharge, with satisfaction to myself, the duties of a Director. In accordance, therefore, with those principles by which I trust I have been invariably governed in the fulfilment of the obligations that office imposed on me, I have determined to resign my seat; and I return into your hands, with the expression of my most unfeigned acknowledgments for your confidence, that trust which you have been pleased so long and so repeatedly to repose in me.

Although I no longer share in the direction of your affairs, I shall never cease to take the warmest interest in the prosperity of the East India Company, and in the maintenance of a system under which our extensive Empire in the East has been acquired and its affairs administered. I have the honour to be, with truth and regard, Ladies and Gentlemen, your obliged and faithful Servant.

Broxbournebury, February 23, 1827.

JACOB BOSANQUET.

' To the Proprietors of East India Stock.

LADIES AND GENTLEMEN,—The resignation of your highly-respected Director, Mr. Bosanquet, affording me an opportunity of again offering myself to your notice, permit me to repeat to you my most grateful thanks for the distinguished support I received at the last ballot, in April 1826, when I had the honour of polling the highest number of votes recorded on the occasion of a first appeal to your favour (excepting in one instance), and within twenty-one of the number polled by my successful competitor.

Having, on that occasion, so nearly attained the object of my ambition, I beg leave to state my determination of proceeding to the ballot, on the present vacancy, and respectfully to express my hope that, through your continued favour and patronage, I may now be placed in the high office of a Director of your affairs. I have the honour to be, Ladies and Gentlemen, with great respect, your obliged and faithful Servant,

21, Upper Harley-street, Feb. 23.

JAMES REVETT CARNAC.

The three following paragraphs have appeared in the papers of the past month; and relate to subjects which interest different classes of Indian readers, on which ground we transcribe them:

' THE LATE MARQUIS OF HASTINGS.

The *Ariadne*, Capt. Fitzclarence, arrived at Malta on the 9th of December, with the remains of the late Marquis of Hastings, which were transhipped to the *Ariadne* at Baia (near Naples), on the 28th of November. As she was entering the harbour, having her colours at half-mast, all the other ships lowered theirs, and after sunset, minute guns were fired from the batteries, corresponding in number with the years of the late Governor's life. On the following morning (10th of December) the body was landed, attended by all

the boats of the squadron, received by the Lieut.-Governor (Major-General Hon. F. C. Ponsonby), staff, garrison, &c., and was deposited in the Palaces to be interred on the 13th. His Excellency's dying request was strictly complied with; his right hand had been cut off, to be preserved, and interred in the same grave with the Marchioness, on her demise. The ships in port, and the batteries, continued to fire minute guns from the time the body was removed from the *Ariadne*, until it was landed in the Palace.

There are those from whom Lord Hastings received deep and manifold injuries and indignities, to whose ears his name must convey unwelcome sounds, and to whose memories it will awake painful associations. These will not delight to hear that he had any virtues deserving respect or admiration: but of this we feel persuaded, that the more closely the history of his administration in India is compared with that of those who went before, or came after him, the more will his wisdom and liberality (notwithstanding the weaknesses and inconsistencies into which he was occasionally betrayed) shine out in contrast to their own, and, if not perfect, mark him as, at least, possessed of many of the principal elements necessary to the formation of a great and good man.

INDIAN WRITERSHIPS.

Mr. Williams Wynn has given one of the writerships, which have devolved upon him as President of the Board of Control, as a prize to be contended for by the boys at Westminster School. The competition is to be open to all, whether King's scholars or town boys, in the two upper forms, who may be disposed to enter the lists; and the boy who passes the best examination, to bear away the prize. The election to take place in the course of the present week. The examinations are to be conducted by scholars of eminence, selected from the Universities of Oxford and Cambridge, with whom the Principal of the East India College at Haileybury is to be associated.

Mr. Wynn deserves all due praise for this sacrifice (small as it is) of a portion of his vast patronage to an object like this. Westminster, it appears, is the school at which he himself was educated; and that is no doubt a natural, though not always the best standard of preference. If, however, he would deserve more than the complimentary congratulations of his former school-fellows, and the existing scholars of Westminster, for the preference thus shown, he would, by extending the principle, and giving a writership or cadetship to each of the principal public schools in the kingdom (and this he has patronage enough at his disposal to do with ease), confer a real benefit on these establishments, by exciting competition among them all, and benefit on India by making merit the ground of selection for its future rulers. Time will show whether his views extend so far or not.

BURNING OF HINDOO WIDOWS.

A public meeting of the Inhabitants of York and its vicinity was recently held at the Guildhall, relative to the burning of Hindoo Widows; the Lord Mayor in the chair. It was shown that the practice was contrary to the religious books of the Natives of the highest authority, that it was a voluntary act, not commanded by law, and that the suppression of the inhuman practice might be effected with the most perfect safety to our Indian dominions. In particular it was stated, on good authority, that the late Marquis of Hastings

had declared that he would have prohibited these acts of self-immolation, in case he could have relied upon the popular voice being in his favour in England; the danger, in his opinion, being in England, and not in India.—*Doncaster Gazette.*

Here is a subject quite as worthy the attention of the Right Honourable President and his honourable colleagues, as the distribution of appointments and offices. But, the poor widows have no patronage at their disposal, and no places or appointments to give to those who advocate their cause. What if Mr. Wynn should give *one* of his spare writerships to the students of either of the public schools who could produce the best essay on the unlawfulness and cruelty of this murderous and fiery abomination? Would there not be candidates who would try for the prize? and would not an annual essay of that description raise up friends for the abandoned widows of Hindoostan, as such writings did for the helpless African Negro, till the trade in human flesh was ultimately proscribed as sinful in the eyes of God and man? We recommend Mr. Wynn to think of this, before another writership is given away; and in the meantime, we congratulate the friends of humanity at the fact, that even at *Leeds*, in the heart of the manufacturing population of England, the subject has found its way to the bosoms of the benevolent. Will the English residents in India permit themselves to be outdone by the middling classes of a central town in England, in their exertions to put down a human sacrifice whose horrid rites are performed under their very eyes? We would fain hope they would not; but let them give us *grounds* of hope, and then we will indulge it.

MILITARY ORDERS.

[In our last Number was included the Division Order of Major-General Sir Jasper Nicolls on the fall of Bhurtpoor. As connected with that Order we now give insertion to Brigadier Fagan's Report, (which had not then reached us,) detailing the conduct of the 6th Brigade in the assault, as well as a subsequent Order, issued by the Major-General, and the Brigadier's Order on that occasion.]

To Captain D. D. Anderson, Assistant-Adjutant, 2d Grand Army.

SIR,

Camp, Oncha Gong, Jan. 21, 1826.

REFERRING to the orders of the 19th instant, in which Major-General Nicolls, C.B., commanding, has so nobly and feelingly expressed his admiration of, and thanks to, the division under his command, on the glorious achievement by the army of the day preceeding, I feel it an act of justice to the leading corps of my brigade, the 21st Regiment of Native Infantry, and its gallant Commander, Major Ward, to state, that on the debouching from the trenches to follow in the assault, the Sappers and Miners in the rear of the 31st Regiment, it displayed an anxiety and eagerness to get on that could not be repressed, gaining the right of the 31st, it gallantly pushed on, and formed a double column with that corps at the summit of the breach.

The work going on at the head of the attack occasioned a momentary pause, and consequently the accumulation of men at that particular point, under those

circumstances ; and recollecting the original instructions for the assault, I determined on descending with the 21st and Brigade Staff into the town. We soon found ourselves amongst the heroes of his Majesty's 59th regiment, engaged at the foot of the ramparts abreast of their gallant comrades above.

With the exception of one period, when we were led up the ramparts, the 21st regiment, with the men of other corps, continued with this portion of the 59th skirting the ramparts, clearing the streets and houses in the neighbourhood until our triumph was accomplished.

My anxiety to do justice to a gallant body of men will, I am sure, plead my excuse with the Major-General for this address.

The nature of the ground did not admit of the rear corps of the brigade, (35th and 15th regiments,) under Lieutenant-Colonel Blackney and Captain Hawthorne, being more actively employed than in following the column ; but they were in good order, as observed by the Major-General, and ready to display the same zeal, spirit, and devotion that animated their fellow-soldiers in front. I have, &c.

(Signed) C. S. FAGAN, Brigadier,
Commanding 6th Brigade.

Extract of Division Order, by Major-General Nicolls, K.B., dated January 22, 1826.

Brigadier Fagan having reported that Major Ward, and the 31st Native Infantry, joined the 2d Brigade soon after its arrival at the Agra-gate, the Major-General begs to applaud the spirit shown by that regiment, and to assure the Major that he has always been pleased with its conduct.

Orders by Brigadier C. S. Fagan, Commanding 6th Infantry Brigade.

Camp, Oncha Gong, Jan. 23, 1826.

Brigadier Fagan cordially congratulates the Brigade on the just and honourable tribute to their zealous and arduous labours in common with their fellow-soldiers during the siege, crowned by the glorious conquest of Bhurtpoor, which has appeared in General Orders published this day.

To praise and acknowledgments from such a source, the Brigadier feels that it is almost presumption in him to add a word, still he cannot allow the opportunity to pass without offering to Lieutenant-Colonel Blackney, Commanding the 35th, Major Ward, Commanding the 21st, and Captain Hawthorne, commanding the 15th regiment, and the whole of the European officers, Native officers, and men of the three regiments, his unqualified approbation of their steady and admirable conduct on the ever-to-be-remembered morning of the 18th instant.

On such an occasion, and with such a heavy column as entered the left breach, it could only fall to the lot of a few to distinguish themselves by personal acts of bravery ; and from what he did see, he is assured that opportunity alone was wanted. He alludes particularly to the style in which Major Ward and the 21st Native Infantry ascended the breach as the leading corps of the Brigade ; it will never be effaced from his memory, and was an earnest of their subsequent conduct at the foot of the ramparts in supporting their gallant comrades at the head of the attack. To Brigade-Major La Touche, Brigadier Fagan offers his best thanks for his exertions and the assistance he received from him throughout the morning of the 18th.

In fine, the Brigadier begs to assure the whole of his brother officers in the Brigade that he will ever cherish the recollection of the distinguished honour that fell to his lot on the memorable occasion.

(A true copy.)

(Signed)

P. LA TOUCHE,
M. Brigade 6th Brigade.

**CIVIL AND MILITARY APPOINTMENTS, PROMOTIONS,
AND CHANGES, IN INDIA.**

[B. signifies Bombay—M. Madras—and C. Calcutta.]

- Ask, H., Cadet, to be Ens. 20th N. I.—B. Sept. 23.
 Auld, J. W., Cadet, to be Ens. 26th N. I.—B. Sept. 23.
 Agnew, Lieut. 4th Lt. Drag., furlough to England.—C. July 5
 Burrowes, J., Ens. 14th N. I. to be Lieut.—B. July 22.
 Bunce, Capt. and Brevet-Maj. 67th regt. to Europe.—C. July.
 Benbow, Lieut. 15th N. I., furlough to Cape Good Hope.—B. Aug. 29
 Bowater, J. C., Ens. 2d Gren. regt. N. I., to be Lieut.—B. Aug. 29.
 Becher, C., Commer. Resid. at Rungpore.—C. July 26.
 Bushby, J. S., Lieut. 8th M. N. I. furlough to sea.—B. Sept. 23.
 Bagshawe, F. D., Ens. from 25th to 5th regt. N. I.—B. Sept. 23.
 Budden, H. W., Cadet, to be Ens. 18th N. I.—B. Sept. 23.
 Birdwood, C., Cadet, to be Ens. 3d N. I.—B. Sept. 23.
 Brodthurst, J., Cadet, to be Ens. 1st European regt.—B. Sept. 23
 Brown, F. H., Cadet, to be Ensign, 12th N. I.—B. Sep. 23.
 Boyd, J., Ass.-Sur., admitted to the service.—B. Sept. 20.
 Bellasis, J. B., Lieut., 9th N. I., to be Interp.—B. Oct. 2.
 Bury, H. Com. 3d Lt. Cav., to be Lieut.—B. Oct. 2.
 Broughton, E. S., Maj.-Gen., from 28th to 19th N. I.—C. Aug. 1.
 Boys, E. F., Capt. 45th Foot, to be Maj., by pur.—C. July 28.
 Bayley, J., Gent., to be Ens., 54th Foot.—C. July 28.
 Campbell, N., Lieut., 11th N. I., app. Dep. Ass. Quar. Mast. Gen.—B. July 12
 Crockett, B. H., Ensign, 1st Gr. reg. N. I., on furlough to the Brazils.—B.
 Cahill, T. S., to be Ass. Surgeon.—B. Sep. 23.
 Colquhoun, R. Ens. 5th N. I., to be Lieut.—B. Sept. 23.
 Campbell, D., Lt.-Col. 1st Bom. Euro. Reg., to command troops at Camp
 Belgaum.—B. Sept. 23.
 Cartwright, E. W., Cadet, to be Ens., 23d N. I.—B. Sept. 23.
 Christopher, H. J. H., Cadet, to be Ens. 11th N. I.—B. Sep. 23.
 Cooke, G. T., Cadet, to be Ens., 13th N. I.—B. Sept. 23.
 Campbell, J., Gent, to be Ens., 46th Foot.—C. July 21.
 Durack, F., Lieut., 24th N. I., to take rank, 2d April, 1826.—B. Aug. 18.
 Decluzeau, M. C., Lieut. Regt. Art., to be Capt.—B. Sep. 20.
 Doherty, H. H., Ens., from 25th to 7th regt. N. I.—B. Sep. 23.
 Dickinson, T. M., Cadet, to be Ens. 14th N. I.—B. Sep. 23.
 Drummond, A. A., Cadet, to be Ens. 11th N. I.—B. Sep. 23.*
 Denman, W., Cadet, to be Ens. 14th N. I.—B. Sep. 23.
 Dickinson, H., Coll. and Maj. of Trichinopoly.—M. Sep. 20.
 Eyre, T., admitted Cadet July 11. prom. to Cornet.—B.
 Forbes, W. M. R., Cadet, to be Ens. 4th N. I.—B. Sep. 23.
 Fulljames, G., Cadet, to be Ens. 25th N. I.—B. Sep. 23.
 Frederick, J. E., Cadet, to be Ens. 18th N. I.—B. Sep. 23.
 Fendall, W., Maj. 4th Lt. Drag., to be Mil. Sec. to Gov. Gen.—C. Aug. 5.
 Gardner, R., Ass. to Coll. and Mag. of Tanjore.—M. July 21.
 Guerin, E. A., Ens., from 6th to 14th N. I.—B. Sep. 30.
 Geddes, C. J., Cadet, to be Ens. 24th N. I.—B. Sep. 23.
 Giberne, C., Cadet, to be Ens. 16th N. I.—B. Sep. 23.
 Goodenough, R. H., Cadet, to be Ens. 26th N. I.—B. Sep. 23.
 Gillanders, J. B., Lieut. 26th N. I. to be Adj.—B. Oct. 2.
 Gordon, Lieut.-Gen., from 8th to 2d regt. Lt. Cav.—C. Aug. 10.
 Graham, W., Serg.-Maj. 14th, to be Ens.—C. July 28.

- Hart, H., Lieut. 6th N. I., in the Deccan, to draw Staff Pay.—B. Aug. 9.
 Harris, Lieut. Eng., to super. construct. Dams in Candesh.—B. July 31.
 Hayes, Ens., on furlough to Eng. for 2 years.—July.
 Hewitt, Capt. 5th N. I., to rejoin his corps.—B. Aug. 25.
 Hawkins, A. S., Ens., posted to 26th N. I.—B. Sept. 23.
 Heath, J. C., Cadet, to be Ens. 5th N. I.—B. Sept. 23.
 Holmes, J., Cadet, to be Ens. 12th N. I.—B. Sept. 23.
 Harris, J., Cadet, to be Ens. 6th N. I.—B. Sept. 23.
 Hawkins, C. A., Cadet, to be Ens. 8th N. I.—B. Sept. 23.
 Hughes, R., Cadet, to be Ens. 3rd N. I.—B. Sept. 23.
 Hughes, G. A., Cadet, to be Ens., 15th N. I.—B. Sept. 23.
 Heathcote, G. D., Lieut.-Col., from 61st to 69th N. I.—C. Aug. 4.
 Innes, A., Cadet, to be Ens. 7th N. I.—B. Sept. 23.
 Jacob, W., Lieut. Art., to be Capt.—B. Sept. 25.
 Jones, E. W., Lieut., 3rd N. I., to be Adj.—B. Oct. 2.
 Johnston, F. J. T., Lieut.-Col. Com. from 2nd to 8th Lt. Col.—C. Aug. 10.
 Knipe, W. J. B., Cadet, to be Ens. 17th En. regt.—B. Sept. 23.
 Lloyd, Lieut., N. I., to perform duties of Bazar Master.—B. June 15.
 Logic, A. W. J., Cadet, to the rank of Ens.—B. Sept. 23.
 Lloyd, G., Ens., from 19th to 7th regt. N. I.—B. Sept. 23.
 Leaviss, G. H., Cadet, to be Ens. 17th N. I.—B. Sept. 23.
 Lewis, R., Cadet, to be Ens., 22d N. I.—B. Sept. 23.
 Lucas, C. C., Cadet, to be Ens., 4th N. I.—B. Sept. 23.
 Lewis, R., Ens., 45th foot, to be Lieut. by pur.—C. July 28.
 Messurier, G. P., Lieut., 14th N. I. to be Capt.—B. July 22.
 Murgie, Hon. A. O., Cor., 2nd Lt. Cav. to be Lieut.—B. Aug. 6.
 Molesworth, J. W., Capt., 11th N. I., furlough to Poonah.—B. Aug. 24.
 Moir, A., Cadet, to the rank of Ens.—B. Sep. 23.
 Mayor, F., Cadet, to be Ens., 6th N. I.—B. Sept. 23.
 Morse, H. C., Cadet, to be Ens., 8th N. I.—B. Sept. 23.
 Montgomery, J., Cadet, to be Ens., 15th N. I.—B. Sept. 23.
 Morris, W. J., Cadet, to be Ens., 9th N. I.—B. Sept. 23.
 McIntyre, L. M., Cadet, to be Ens., 19th N. I.—B. Sept. 23.
 Mitchell, J. M., Cadet, to be Ens., 1st Euro. regt.—B. Sept. 23.
 Munro, A. G. G., Cadet, to be Ens., 16th N. I.—B. Sept. 23.
 Mant, G. H., Lieut., 19th N. I., to be Fort Adj. Surat.—B. Oct. 2.
 Mitchell, T., Lieut., 15th N. I., to be Mahratta Interp.—B. Oct. 2.
 M'Mahon, B., Lieut. 25th N. I., to be Adj.—B. Oct. 2.
 Macan, G., Lieut., 25th N. I., to be Inter. and Quar.-mast.—B. Oct. 2.
 M'Innes, J., Lieut.-Col. Com. furlough to Europe.—C. Aug. 8.
 Murray, T., Lieut.-Col. from 69th to 61st N. I.—C. Aug. 4.
 Meik, J. P., Gent., to be Ens. 45th foot, by pur.—C. July 28.
 Man, G., Ens., 54th foot, to be Lieut.—C. July 28.
 M'Creagh, T., Ens. 87th foot, to be Lieut.—C. July 28.
 M'Mahon, C. F., Ens., from 2d foot, to be Ens. 87th foot.—C. July 28.
 Ottley, J. H., Lieut., 26th N. I., to be Inter. and Quar. mas.—B. Oct. 2.
 O'Halloran, W. L., Ens., 14th foot, to be Lieut.—C. July 28.
 Patton, P. E., 4th Judge of Prov. Courts, Moonshedabad.—C. July 20.
 Pope, J., Cadet, to be Ens., 17th N. I.—B. Sep. 23.
 Parry, E. W. C., Cadet, to be Ens., 21st N. I.—B. Sept. 23.
 Prother, C. W., Cadet, to be Ens., 2d Euro. regt.—B. Sept. 23.
 Ramsay, H. N., Ens., 24th N. I., to be Lieut.—B. Aug. 16.
 Robinson, H. J., Lieut., 2d Lt. Cav. to be Adj.—July 13.
 Robertson, R., Capt., 2d Gren. regt. N. I., to be Major.—B. Aug. 29.
 Rollings, W., Lieut., 2d Gren. regt. N. I., to be Capt.—B. Aug. 29.
 Rankin, Capt., to be Dep. Assist. Quar.-Mas.-Gen. at Poonah.—July 17.
 Robinson, E. H., Registrar of the Zillah Court at Agra.—C. July 20.
 Russel, L. C., Maj. Art. to be Lieut.-Col.—B. Sept. 20.

- Ramsay, E. H., Ens., posted to 2d Euro. regt.—B. Sept. 23.
 Rooke, C., Cadet, to be Ens., 22d N. I.—B. Sept. 23.
 Ramsay, J., Cadet, to be Ens., 9th N. I.—B. Sept. 23.
 Ramsay, Sir T., Lt.-Col. Com. from 19th to 28th N. I.—C. Aug. 4.
 Reid, J., Lieut. and Adj., 45th foot, to be Capt. by pur.—C. July 28.
 Silva, De, P., to be Lieut., posted Mil.—B. July 17.
 Sterling, W., Lieut., 17th N. I., to be Brevet Capt.—B. July 24.
 Smee, W. N. T., Lieut., 6th N. I., app. from 2d to 1st class of the Deccan Survey Depart.—B. Feb. 19.
 Shaw, W., Capt., 18th Madras N. I., furlough to the Cape.—Aug. 8.
 Skinner, P. K., Ens., from 11th to 9th regt, N. I.—B. Sept. 23.
 Scriven, W. T. C., Cadet, to be Ens., 5th N. I.—B. Sept. 23.
 Salmon, W. B., Cadet, to be Ens., 2d Euro. regt.—B. Sept. 23.
 Sandwith, R., Capt., furlough to Europe for 3 years.—B. Sept. 25.
 Saunders, G. W., Judge and Crim. Judge of the Zillah of Nellore.—M. Sept. 20.
 St. John, R., Lieut., 2d Bom. Euro. regt. to be Adj.—B. Oct. 2.
 Shubrick, T., Lieut.-Col., to the 1st regt. Lt. Cav.—C. Aug. 10.
 Swettenham, Lieut.-Col., from 1st to 8th regt. Lt. Cav.—C. Aug. 10.
 Taylor, T. E., to be Ensign 12th N. I.—Aug. 6.
 Tayler, Judge and Mag., of Mirzapore.—C. July 20.
 Thomas, C. S., Ensign from 20th to 22d regt., N. I.—B. Sept. 23.
 Thornbury, N., Ensign from 8th to 4th regt. N. I.—B. Sept. 23.
 Thynani, F., Cadet, to be Ensign 21st N. I.—B. Sept. 23.
 Threshie, C., Cadet, to be Ensign 10th N. I.—B. Sept. 23.
 Urquhart, A., Lieut., 2d Lt. Cav. app. Inter., and Aid-de-Camp to H. E. Commander-in-Chief.—B. Aug. 19.
 Unwin, Lieut., 5th N. I., to take rank.—B. Sept. 6.
 Vincent, J., Lieut., 16th Lt. Drag., to be Adj.—June 16.
 Vaillant, F. N., Cadet, to be Ensign 24th N. I.—Sept. 23.
 Waterfield, W. H., Capt. 14th N. I., furlough to Europe for three years.—B. Aug.
 Webster, Ensign 67th regt., for Europe, to rejoin his Corps.—C. July.
 Wainwright, Lieut. 47th regt., furlough to Bombay.—C. July.
 White, W. G., Capt. Art., to be Maj.—B. Sept. 20.
 Whitehead, C. T., Cadet, to the rank of Ensign.—B. Sept. 23.
 Whichelo, G., Ensign, from 21st to 9th regt. N. I.—B. Sept. 23.
 Wilson, G. D., Ensign, from 2d Europ. to 25th N. I.—B. Sept. 23.
 Williams, F., Cadet, to be Ensign 2d Gr. regt. N. I.—B. Sept. 23.
 Willoughby, J. R. F., Cadet, to be Ensign 25th Europ. regt.—B. Sept. 23.
 Wood, Ensign 5th N. I., Inter. to 2d regt. Lt. Cav.—B. Sept. 28.
 Zuhleke, C. W., Ensign 46th Foot, to be Lieut.—C. July 28.

BIRTHS.

- Batten, the lady of Rev. Dr., of a son, at Haileybury, Jan. 1, 1827.
 Bingham, Farrier-Major, 5th Lt. Cav., the wife of, of a daughter, at Trichinopoly, Aug. 6, 1826.
 Bartlett, Mrs John, of a daughter, at Calcutta, Aug. 7.
 Bird, Mrs. Thomas, of a son, at Sausnie, Ally Ghur, July 27.
 Crockett, the lady of Capt., of a son, at Girgaum, Sept. 22d.
 Cooke, the lady of Henry, jun. Esq., of a son, at Serampore, Aug. 9.
 Debrett, lady of Capt., of a daughter, at Dum-Dum, Aug. 1.
 Dorrett, Mr. J. B., of a son, at Serampore, Sept. 8.
 Edgar, the lady of Lieut. J., 50th N. I., commanding Onore, of a daughter. Sept. 9.
 Flashman, wife of Mr., of a daughter, at Calcutta. Sept. 1.

- Fulton, the lady of Capt. J., Dep.-Ass.-Quar.-Mas.-Gen., Southern Division, of a daughter, at Trichinopoly, Aug. 19.
- Graham, the lady of Lieut. and Adj., of a son, at Barrackpore, Sept. 10.
- Green, the lady of Capt., of the Ship *John Munro*, of a son, at Singapore, July 8.
- Hunter, Sarah Ann, the wife of Sub.-Ass.-Surg. J., of a son, at Arcot, Sept. 6.
- Hutchinson, the lady of Capt. T. F., commanding the Delhi Provincial Batt., of a son, at Delhi, Aug. 24.
- Jenkins, the lady of Capt., H. M. 11th Lt. Drag., of a daughter, at Cawnpore, Aug. 28.
- Keays, the lady of Rev. R. Y., Chaplain at Surat, of a son, Aug. 2.
- Marshall, the lady of Hubert, Esq., 33d M. N. I., of a son, at the Presidency Cantonment, Aug. 11.
- Manson, the lady of Capt., Regt. of Artillery, of a daughter, at Bombay, Oct. 2.
- Morris, Mrs. Sarah, wife of Mr. T., of a daughter, at Balmenan, Sept. 13.
- Macnabb, the lady of J. M., Esq., of the Bengal C. S., of a daughter, at Mirzapore, Sept. 1.
- Oliphant, the lady of Capt., Eng., of a son, at Secunderabad, Aug. 1.
- Owen, the lady of G. Esq., Sec. Off. E. I. H. of a son, Jan. 27, 1827.
- Playfair, the lady of Lt.-Col., of a son, at Benares, Aug. 27.
- Rebello, Mrs. C., of a daughter, at Calcutta, Sept. 7.
- Ranson, the wife of Mr. Sub-Conductor Ord. Dep., of a son, at Secunderabad, July 18.
- Strettel, the lady of C. G., Esq., of a son, at Calcutta, Aug. 15.
- Somerville, the lady of Maj. H. C. S., of a son, at Chatham, Jan. 3, 1827.
- Sharlice, Mrs. Charles, of a daughter, at Bellary, Aug. 2.
- Smith, the lady of Lieut. Hope, 15th regt., of a daughter, at Quilon, Sept. 8.
- Snodgrass, the lady of Major, Ass.-Comm.-Gen., of a son, at Poona, Sept. 12.
- Thomas, the lady of Lieut. W., H. M. Lt. Inf., of a son, at Berhampore, July 30.
- Twemlo, the lady of Lieut., Art., of a son, at Dum-Dum, Aug. 2.
- Wrigton, the lady of G., Esq., of a son, near Exeter, Jan. 1, 1827.
- Valadares, Mrs. M. J. D., of a daughter, at Collah Factory, Aug. 3.
- Whiteman, the lady of Capt. J. C., of a daughter, in Manchester-st. Dec. 30.
- Winter, Mrs. Joseph, daughter of the late Mr. J. D. Poirce, of a daughter, at Chandernagore, Aug. 6.
- Wall, Mrs. Richard, of a daughter, at Calcutta, Aug. 4.
- Watson, Mrs. J. C., of a daughter, at Barrackpore, Aug. 9.

MARRIAGES.

- Adam, G., Esq., to Eliza, eldest daughter of Alex. Read, Esq., late of the Madras Civ. Serv., at Bombay, Aug. 9.
- Atherton, R., Esq., Superintend. of the Govern. Stud, to Eleanor T., fourth daughter of the late G. Benleigh, Esq., at Keita.
- Ashton, Mr. R., Engraver, to Miss A. H. Coombes, at Madras, July 19.
- Burnett, W., Esq., Bom. Army, to Isab., only daughter of A. Pitcairn, Esq., of Pitcullo, Dec. 19.
- Burn, H., Esq., of Great Quebec Street, London, youngest son of late Maj. Gen. W. Burn, Hon. E. I. C. Service, to Eliza Maria, widow of the late H. Bellingham, Esq., and daughter of the late C. Rowlls, Esq., of Kingston, Surrey.
- Cuthbertson, Capt. R. J., Master Attend., to Miss C. M. J. Bone, at Malacca, June 18.
- Clayton, Mr., of Gray's Inn Square, to Emily, eldest daughter of the late Lieut.-Col. F. W. Bellis, H. E. I. Comp. Serv., Jan. 9, 1827.
- Counsell, Lieut. W., Beng. Art., to Miss Wiltshire, at Calcutta, Sept. 12.
- Cruz De, Mr. J. C., Ass. in Gen. Treas., to Miss L. F. Desplannes, at Calcutta, July 27.

- Casewell, Mr. J., of the Country Service, to Miss E. Brooks, Bombay, Sept. 22.
- Crispin, Lieut. B., 14th N. I., to Miss Janet Bell, Bombay, Sept. 25.
- Clayton, Lieut. H., Sub.-Ass., Com.-Gen., to Jean H., daughter of Lieut.-Gen. Sir R. Blair, K.C.B. Calcutta, Aug. 9.
- Davidson C., Esq., of Brabant-court, to Caroline Frances, eldest daughter of Major Haswell, formerly of the 3d foot, Jan. 13.
- Faris, Capt. G., Madras Cav., to Mary, eldest daughter of Mr. R. Buckland, of Southampton, Jan. 3.
- Garnault, Capt. J., 47th regt, M. N. I., to Emma Carruthers, fifth daughter of the late J. D. White, Esq., of the Medical Board, Mad. Est.
- Hunter, C. F., Esq., of Calcutta, to Jane Napier, only daughter of the late W. A. Kellatt, Esq., of Cork, at Edinburgh, Jan. 3, 1827.
- Harris, Mr. J., to Miss Caroline Parsick, at Calcutta, July 28.
- Morton, T., Esq., to Mrs. Cath. Burrowes, at Cawnpore, Aug. 24.
- McGill, Mr. James, Dep. Ass. Comm. of Ordnance, to Miss Jane, daughter of the late Conductor F. Bishop, at Secunderabad, July 31.
- Moor, Capt. John, Hon. East India Company's Service Bombay Establishment, to Mary Anna, widow of the late Capt. T. Sealy, at Bombay.
- Owen, O. S., Esq., to Fanny Forbes, widow of the late Alex. Forbes, Esq., at Chinsurah, Sept. 7.
- Ridout, Lieut. T., 6th N. I., to Miss Tighe, 4th daughter of the late T. Tighe, Esq., of Tuam, County of Galway, at Poona, Aug. 17.
- Suter, F., Esq., of Bimlipitan, East Indies, to Eliza, second daughter of the late Mr. McLean, of Forbes, Jan. 1, 1827.
- Sejourne, Mr. J. P., to Miss M. Vosconsellos, at Chandernagore, Sept. 1.
- Stewart, Lieut. W. M., 22d N. I., to Charlotte, eldest daughter of Capt. Debnam, H. M. 13th Light Infantry, at Berhampore, Aug. 8.
- Taylor, G. I., Esq., of the Hon. Company's Civil Service, to Harriet, daughter of the late H. Christopher, Esq.
- Whinyates, Capt. F. F., Horse Brigade, to Elizabeth, youngest daughter of John Campbell, Esq., of Annidale, Argyleshire, Aug. 7.

DEATHS.

- Amherst, Hon. Capt., aged 24, at Barrackpore, Aug. 22.
- Ager, G. M., the infant son of Lieut. W., at Sunkerumpette, July 17, 1827.
- Bergin, Mrs. Mary, aged 17, at Secunderabad, July 21.
- Bunn, Mrs., relict of the late Capt. Bunn, of Hon. East India Comp. Service.
- Burrowes, J. Cath., wife of Capt. T. D. Burrowes, 4th Lt. Drag., Jan. 17.
- Barnewall, Cath. wife of Capt. Barnewall. Pol. Ag. at Rajcote, Aug. 1.
- Balamanno, Lieut. 2d. Lt. Cav., at Rajcote, Aug. 5.
- Blundell, Mrs., widow of the late H., Esq., C. S., at Howrah, Aug. 1.
- Brodie, W. D., Esq., Registrar of the Carnatic Debts, at Madras, Aug. 11.
- Bellow, Lieut. C. R., Interp. and Quar.-Mast., 37th N. I., aged 25, at Barreilly, July 27.
- Clark, Capt., W. of the E. I. ship George, in Rockingham Row, aged 39, Jan. 22, 1827.
- Cumming, F. Esq., F. S. A., late of the office of the Board of Commissioners for the Affairs of India, aged 50.
- Clarke, Lieut. G., 12th N. I., at Mhow, Aug. 5.
- Cruz De, Mrs. Serafina, of childbirth, aged 36, at Bombay, Aug. 24.
- Clark, Mr. W., formerly Harbour-Master of Calcutta, aged 58, Aug. 2.
- Colquhoun, A. Esq., late Paymas. 2d batt. 65th regt., aged 62, Aug. 8.
- Caulfield, the lady of Maj. J., Pol. Ag. at Koteh, Aug. 26.
- Carpenter, Mr. F. J., former Record-keeper of Mil. Depart., aged 48, at Calcutta, Sep. 12.
- Cruz, De, Mr. Barthe., Ass. Ind. Gaz. Press, aged 26, at Calcutta, July 25.

- Curran, Mrs. Ross, aged 23, at Calcutta, July 27.
- Dallas, Mr. H. N., 5th Off. H. C. S., Lady Melville, at the New Anchorage, July 28.
- Dundon, Mr. R., Beng., mar., aged 28, Aug. 4.
- Dodd, J., Esq., late Quar. Mas. H. M. 20th Regt., at Poonah, Sep. 23.
- Duncan, Lieut. H. M., 5th N. I., at Rajpote, Bomb. Presidency, Sep. 5.
- Evans, C. T., Esq., Indigo planter, aged 49, at Calcutta, Sep. 9.
- Grant, Mrs., widow of Chas. Grant, Esq., late one of the Directors of the East India Company, in York-Terrace, Regent's-Park, Jan. 23.
- Gibbons, W. L., Esq., Librarian, Calcutta, Aug. 1.
- Holloway, Maj.-Gen. Sir Chas., late of the Royal Engin., aged 77, at Davenport, Jan. 4.
- Harris, Gen. Adolph, aged 82, at Hoddesdon, Jan. 21.
- Hawkes, Lieut. J., 20th B. N. I., at Baroda, Sept. 4.
- Hollingberg, Master F. M., aged 2, at Calcutta, Aug. 5.
- Inverarity, Capt. J., 14th N. I., at Rutnagherree, 21st July.
- Kays, R. B., son of Ass. Sur. of Mad. Estab. at Sattara, Sep. 17.
- Karamgoin, Mr. J. F., English teacher, at Calcutta, Sep. 6.
- Laurie, T. R., youngest son of the Rev. J. Laurie, at Colabah, Aug. 26.
- Malcolm, G. A., Esq., of the Civil Service, Bombay Establishment, at the village of Yesdekhaust, in Persia, July 15.
- Mordon, Matilda, eldest daughter of the late Col. Mordon, H. M. 60th regt. at Jenat, Sep. 11.
- Munday, Mrs. Charlotte, wife of Mr. P., Barrack overseer, aged 19, at Dinapore, Aug. 21.
- Mackey, Mrs. J., aged 24, at Howrah, Aug. 14.
- Moorhouse, Mr. Lewis, aged 23, at Madras, July 20.
- Pearson, Mr. John, aged 42 years, at Calcutta, July 28.
- Prescott, the Lady of Lieut. S. W., 5th N. I., at the Presidency, Sept. 19.
- Pennefather, Ens. W., 40th N. I., at Secunderabad, Aug. 9.
- Rogers, Mr. R., Serj.-Pion., at Mongyhr, July 28.
- Russell, Anne Barbara, infant daughter of F. W., Esq., B. C. S., at Madras, Sep. 17.
- Ripley, Emily Jane, daughter of Lieut., 2d Europ. regt., aged 2, in Fort William, Sept. 11.
- Rencontre, Mr. F., at Pondicherry, July 17.
- Souza, De, Lady Anna Maria, relict of the late Sir M. De Souza, Bombay, Aug. 15.
- Souza, De, Rev. A. J. aged 60, at Bandora, Aug. 8.
- Statham, R. C., Esq., aged 56, at Calcutta, Aug. 5.
- Smyth, C., Esq., 2d Off. of ship Ganges, on passage from Rangoon.
- Short, Lt. Col. Wm., 2d Beng. N. I., at Barrackpore, Aug. 23.
- Thorose, Mrs. M. G., aged 52, at Calcutta, Aug. 31.
- Thomason, the lady of the Rev. T. T., at sea, March 25.
- Victor, Lieut. D. L., 14th N. I., at Malligaum, Sept. 7.
- Valente, Mr. J. J., aged 65, at Calcutta, Sept. 6.
- Walls, Master W. B., aged 17, at Calcutta, July 30.
- Waller, Capt., E. H. M. 87th regt., aged 34, at Fort William, Aug. 12.
- Watson, H. Maria, 2d daught. of Lt. Col. Watson, 42d regt., aged 11, at Cawnpore, June 4.
- Waterman, T. Esq., aged 54, at Saugor, Aug. 7.
- Williamson, Eunice, wife of Rev. T. J. Wesley, Missionary, aged 21, at Rogapettah, Madras, July 19.
- Websterfield, W. H. Esq., aged 33, at Calcutta, Aug. 14.
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SHIPPING INTELLIGENCE.

ARRIVALS FROM EASTERN PORTS.

Date. 1826.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date. 1826.
Jan. 30	Off Portsmo.	Columbine ..	Tait ..	Bombay ..	Sept. 7
Jan. 30	Cowes ..	Blois ..	Lanning ..	Batavia ..	Oct. 1
Jan. 30	Crookhaven	Penang ..	Rogers ..	Padang ..	Sept. 30
Jan. 30	Off Scilly ..	Janina	Mauritius	Oct. 13
Jan. 31	Off Plymouth	Good Hope ..	Douglas ..	Bengal
Jan. 31	Cowes ..	Thames ..	Fraser ..	Batavia ..	Sept. 14
Jan. 31	Off Scilly ..	Albion ..	Proctor ..	Singapore	Aug. 27
Feb. 1	Cowes ..	Greenock ..	Miller ..	Batavia ..	Aug. 10
Feb. 1	Off Hastings	Industrie ..	Baloiny ..	Batavia ..	Sept. 25
Feb. 1	Cowes ..	Security ..	Ross ..	Batavia ..	Sept. 13
Feb. 1	Downs ..	William Pitt	Roberts ..	Mauritius	Oct. 30
Feb. 1	Off Dover ..	Lavinia ..	Brooks ..	Mauritius	..
Feb. 2	Off Dartmo.	Cath. Elizabeth	Ingerman ..	Batavia
Feb. 2	Greenock ..	Crown ..	Baird ..	Bombay

ARRIVALS IN EASTERN PORTS.

Date. 1826.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
Aug. 10	Bengal ..	Duke of Lancaster	Hanney ..	Liverpool
Aug. 21	Bengal ..	Providence ..	Ardlie ..	London
Aug. 21	Bombay ..	Morio Castle	Smith ..	Liverpool
Aug. 22	Singapore ..	Orwell ..	Farrer ..	London
Aug. 25	Singapore ..	Marg. Elizabeth	Mangles ..	London
Aug. 28	Singapore ..	Crown ..	Baird ..	Clyde
Aug. 31	Singapore ..	Atalanta ..	Johnson ..	London
Sept. 9	Singapore ..	Headleys ..	Crockerley ..	London
Sept. 12	Madras ..	Lady Holland	Snell ..	London
Sept. 13	Madras ..	Asia ..	Balderson ..	London
Sept. 16	Madras ..	Rose ..	Marquis ..	London
Sept. 17	Bombay ..	Parnel ..	Sheppard ..	London
Sept. 18	Bombay ..	Boyne ..	Miller ..	London
Sept. 19	Bombay ..	Palmyra ..	Smith ..	London
Sept. 21	Madras ..	H.M.S. Boadicea	Plymouth
	Madras ..	Melpomene ..	Johnson ..	London
Sept. 25	Madras ..	Dorothy ..	Garnock ..	Liverpool
Oct. 21	Mauritius ..	Cleveland ..	Harelock ..	London
Oct. 22	Mauritius ..	James Sibbald	Forbes ..	London
Nov. 10	Cape ..	Susanna ..	Clappison ..	London

DEPARTURES FROM EUROPE.

Date. 1826.	Port of Depart.	Ship's Name.	Commander.	Destination.
Jan. 24	Deal ..	Sir W. Wallace	Wilson ..	Bengal and Madras
Jan. 24	Deal ..	Warwick ..	Gibson ..	Bombay
Feb. 1	Liverpool ..	Bourbonnais ..	Gilband ..	Mauritius & Bombay

PASSENGERS HOMEWARDS.

By the *Columbian*, from Bombay; Captain Shaw, and Ensign Crockett, left at Cape; Captain De Lisle, and Dr. French, H. M.'s 40th regt.

By the *Thomas*, from Batavia, John Morgan, Esq.

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